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# ***JPRS Report***

## **Near East & South Asia**

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# Near East & South Asia

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## REGIONAL AFFAIRS

### GCC Future Management Strategies Explained

90AE0160A London AL-MAJALLAH  
in Arabic 26 Jun 90 p 54

[Article by Edmund O'Sullivan, editor-in-chief of MEED Magazine, and a member of the board of the EMAP commercial information company]

[Text] The countries of the Arabian Peninsula are currently standing at the threshold of a new period of rapid economic growth that will provide great opportunities for commercial projects domestically and internationally.

My magazine, MEED, expects that Saudi Arabia and other countries of the Gulf Cooperation Council [GCC] will, in the 1990s, achieve annual growth rates of 50 percent, and an economic expansion rate that will be higher than that of most other regions of the world.

As in the past, the increase in oil revenues will be the driving force behind growth, although other sectors will also play a role in creating new jobs and providing income sources for the gulf countries.

All are agreed that the private sector will become more of an important factor in the new growth wave compared to the 1970s and 1980s. However, are business organizations in the region prepared to face the challenges of the 1990s?

The success or failure of companies in the GCC countries will depend on the competence of their leaders. Good management skills will be the decisive factor that distinguishes between organizations that can achieve on-going, profitable growth and projects that cannot do so.

For this reason, commercial business managers in the gulf countries are the crux of the economic growth process. Successful managers will obtain greater rewards, but their responsibilities and challenges will also be great.

As a profession, business administration requires a constant effort to develop technical, administrative, and personal skills. The material yield might be low initially. For example, the income of a manager trainee working in Britain usually does not exceed \$20,000 per annum before the deduction of income and property taxes. In London itself, where housing and transportation costs are high, young managers are compelled to live in a prolonged state of financial straits. Vacations, cars, houses, and the purchase of expensive clothes remain beyond their reach, and they are also required to spend long periods in training, during which they perform ordinary tasks that can nonetheless often be highly demanding. These junior managers are expected to travel to different parts of Britain at a moment's notice

for long periods at times, and they must put in long work days, frequently exceeding 10 hours.

This early training period is hard on young people recently out of college, who suddenly find that university degrees and other theoretical skills do not guarantee promotions or quick financial gains. These early years of their professional life are like a return to the classroom.

After about three years, the young manager begins to be entrusted with some important responsibilities, such as heading a team, helping a senior manager in an important project, or travelling by himself to serve clients of the company in a specific area. In this phase, he derives a sense of gratification from using the skills acquired during training, and he feels that he has a direct influence on his company's activity. At the same time, his income remains relatively modest, especially if he is supporting a family. Those who reach this level in Britain usually begin to purchase dwellings, which entails taking out large loans that must ultimately be repaid. In this period, the young business manager feels poorer than when he was a student.

At the start of around the tenth year of his professional life, if he has proven his worthiness and has worked earnestly, he becomes qualified for an important middle-management position, such as managing a small branch, heading an important division in the company's headquarters, or serving senior clients.

At that time, he will perhaps enjoy a higher salary that enables him, for example, to have a better vacation. In Britain, an employee is usually given a company car when he reaches this level. However, his responsibilities are in turn greater, and he is frequently compelled to work even on the weekends. Sometimes, his work becomes so demanding as to make it difficult for him to take his annual vacations on schedule. Nonetheless, all of this effort is nothing more than preparation for the next step. A competent manager around the age of 35 becomes a candidate for primary management positions. At this stage, some individuals are chosen to be senior executive managers of small projects or subsidiary companies. After that, nothing can impede the progress of a successful, competent person. In addition the material benefits can ultimately become very great.

The purpose of this story is to illustrate that the road to a leadership position in business management is a long, hard road that requires perseverance, flexibility, and patience. In the United States, Japan, and other economically developed countries, hundreds of thousands of young people begin this journey every year, which can lead, after 30 years of achievements, to prominent leadership positions in some of the largest and most vital international companies, such as IBM, Mitsubishi, Siemens, and British Aerospace.

These people are the raw material from which the success of companies is produced. This process must be

generated in the economic life of the gulf region if it is to achieve the goal of establishing a large-scale private sector.

The gulf countries fortunately do not lack human capabilities. MEED estimates that there are more than 400,000 citizens in the GCC countries who are currently occupying managerial, professional, technical, and executive positions in the six countries of the region. The number of graduates in Saudi Arabia will increase to about 200,000 per year in 1995, an increase of 20 percent compared to the present number.

This is more than enough to meet the needs of the private sector. However, the main problem is that a very large percentage of citizens of the GCC countries who hold professional and managerial positions are employed in government agencies. We thus see that the needs of ministries and governmental agencies in the GCC countries have taken precedence in attracting many of the best and brightest young people to civil service positions.

This situation must change during the 1990s. A greater number of graduates in the GCC states must apply for work and training as managers for commercial projects, instead of assuming only governmental positions.

The other great problem is that there are currently only a few non-governmental organizations that can provide the type of training and experience needed by novice managers. Among these organizations are several companies which have attracted attention and which have begun to establish a presence in world markets, such as the Saudi Basic Industries Company (SABIC), the Bahrain Aluminum (ALBA) Company, the Saudi Cables Company, and the Gulf Petrochemical Industries Company. All of them have established first-rate factories where managers can receive training and acquire advanced skills.

In the financial sector, there are many opportunities for young managers to study outstanding operating methods. The main gulf banks and several joint projects with a number of well-known international banks have made serious efforts to provide suitable training opportunities to junior management personnel.

A number of innovative, private organizations have also realized the importance of appointing indigenous management trainees to managerial positions, but they are still few in number.

Many other companies in the GCC countries will in coming years have to confront the need for establishing management training programs aimed at bright, qualified graduates of increasingly competent educational institutions in the gulf region. These young people are the seeds of future development, and their abilities must not be wasted.

This means that many gulf companies will find themselves for the first time compelled to solve problems of

the type faced daily by important companies in the developed states. The appointment, training, and retraining of competent elements is perhaps the most important internal function of a successful commercial project. Large international companies spend enormous sums on developing human capabilities and forming large, effective employee affairs divisions.

Companies seeking to increase the number of national managers working in them will lose time and money as long as they do not follow a defined strategic plan in this regard. There is no use in spending a lot of money on employing highly competent individuals for in-service training if the training is monitored poorly. Nothing spoils the hopes of the novice manager more than a company that seems uninterested in training and the other forms of assistance that a manager trainee needs.

Therefore, companies that intend to support their indigenous management apparatuses must examine numerous issues pertaining to selecting employees, submitting them to training, establishing introductory training programs, determining salaries and other working conditions, and providing opportunities for advancement.

A manager trainee must also ask himself certain questions, such as: Have I produced the desired effect in the minds of my superiors and colleagues? Am I working sufficiently well together with the program? Am I making the necessary effort to perform my current work? As in all aspects of life, the job of a manager involves the process of give and take.

All of the preceding makes it clear that the development of highly competent, productive managers requires companies to invest a great deal of time and money in human resource development. However, if the future manager in the GCC countries is to work as competently as his counterparts in Europe, North America, and Asia, he must be provided with support services. The people of the gulf are fortunate in this respect, inasmuch as government spending on infrastructure during the last 20 years has produced excellent communications and transportation networks, which are prerequisites for commercial success.

However, the manager of a commercial project requires many other elements, such as good, reliable business information received in a timely fashion. For example, I am a journalist and also the manager of a British company. In order to keep up with the most recent developments in my field, I make use of a wide array of information sources. British radio and television provide a regular source of reports on economic and commercial trends at home and abroad. Every day, I read THE FINANCIAL TIMES and the INDEPENDENT, both superior dailies. During the week, I read the ECONOMIST and BUSINESS NEWS magazines. My office also receives two American magazines, FORTUNE and FORBES, and BRITISH BUSINESS. I also like to peruse

the YOUR MONEY, INTERNATIONAL INVESTOR, and BANKERS, which specialize in banking affairs.

I also receive a number of trade magazines that focus on my field in particular. Every week, I receive magazines that deal with information and journalism, all of which are distributed freely.

This abundance of reading material may seem dismaying, but it is certainly necessary for my work. I believe that the business manager in the gulf requires a similar amount of good information. Perhaps he is presently obtaining it. If sufficient commercial information is not available in terms of quantity and quality, businessmen cannot have complete mastery of their work.

Therefore, the issuance of trade publications directed at business managers in the GCC countries will be a growth area in the 1990s that will give rise to a whole new generation of magazines and information publications in the Arabic language to meet the needs of businessmen in all sectors, which will help these sectors perform better and more profitably than at any time in the past.

#### **Columnist Criticizes Egyptian Depiction of 'Arafat**

*90AE0211A Paris AL-YAWM AL-SABI'  
in Arabic 30 Jul 90 p 11*

[Article by 'Atif 'Awdah: "Egyptian Press Abuse...and Egyptian Leadership's Responsibility"]

[Text] We need a quiet debate with some Egyptian fellow journalists even though some of them, like Anis Mansur, whose filthy slander is not mentioning, are not worth debating.

A debate with fellow journalists in some Egyptian newspapers has become necessary because some of them, the truth be told, lie in waiting for any incident in Palestinian-Egyptian relations to harm these relations.

While they can be counted on one hand, they have been very powerful in vilifying the Palestinian people and their leadership and national symbols under the often-used flimsy pretext of challenging Egypt.

I believe that had their dialogue had a political tinge to it, we would have welcomed it and said this is an important role the Cairo press is fulfilling on a hot issue that calls for more than one viewpoint. But what is happening is that some of these journalists wait for any occurrence, without checking the facts, to hurl accusations against the entire Palestinian people, including charges of selling the land, exploitation, brokering, using more than one language in every Arab capital, and other charges we have cited here in a polite fashion and clear points, unlike the language some of the fellow journalists use, one that reflects a political standard unbefitting the profession.

All this is occurring merely because a Palestinian official dared to say something about Egyptian policy or to challenge some aspect of Palestinian-Egyptian relations. We have the right here to wonder about the role of the Egyptian press even amid the divergent points of view that exist between the Palestinian leadership and the Egyptian leadership: Is it to widen the gulf or try to open a quite and responsible dialogue to lay down all the facts in an effort to attain a rapprochement in the interest of both leaderships and both peoples? I am certain that some writers in Egypt consciously and masterfully try to grab every opportunity to discredit the Palestinian people's leadership and the Palestinian people. I do not wish here to go into the substance of such writings because it is so despicable that one is embarrassed to even mention it.

These writers, without raising charges of treachery or treason, are consciously working to sabotage Egypt's return to its Arab environment—a national environment that Egyptian diplomacy, with the help of some Arabs, including the PLO and Yasir 'Arafat in particular, has prudently sought to attain. I wonder here how the Egyptian people and Egyptian officials can approve of Anis Mansur writing in his 21 July 1990 column in AL-AHRAM "A Day's Positions" that "millions of Egyptians detest the Arab League's return to Egypt and detest more the fact that it is located 100 meters away from the Nile, a long distance that makes it difficult for them to push the building into the Nile so that they would not have to see your faces?"

We cite this merely as an example that this is not solely a matter of misunderstanding between the PLO leadership and the Egyptian leadership, but rather a conscious effort to isolate Egypt anew from its Arab environment. I am positive that millions of Egyptians in all walks of life feel disgusted when they read such writings.

Once again we go back to talking to this small minority in Egypt to tell them plainly that PLO policy does not have to be totally in line with Egyptian policy and that it is natural for differences to arise over any issue, but it is not natural to level charges and abuse against an entire people who have been hemorrhaging daily to defend their national soil and their right to an independent state. It is not fair to take advantage of every opportunity to revile the symbol of the Palestinian national struggle, Yasir 'Arafat. Here, I say in all sincerity that the Egyptian government should not allow the head of the Palestinian state and the symbol of the Palestinian people's struggle to be affronted in the name of freedom of the press.

Such utterances should not be made about an Arab leader who is well known to the Egyptian people. For Yasir 'Arafat is no stranger to Egypt, and Egypt is no stranger to him, even in the hardest of times. History bears witness to the fact that, in realization of the importance of Egypt politically, geographically and nationally, 'Arafat has defied hardships to keep Egypt in its Arab environment. Allow me, fellow journalists, to say that the Palestinian people's leadership is well aware of the importance of Egypt's role, but that it is not ready

to be part of this or that country's policy. These journalists know that the PLO has been forced more than once to enter into a conflict with one country or another to maintain the independence of Palestinian national decision-making. At this point, I say that reference to Palestinian double talk, or, as some fellow journalists delicately put it, using a different language in each capital—if this were true—the PLO would not have had to enter into so many peripheral battles with one country or another. We realize that every political leadership in the Arab countries has its own circumstances, concerns, preoccupations and interests. The PLO leadership has not at any time demanded that these manifold policies be part of or in line with Palestinian policy and, consequently, it does not want its policy to be a carbon copy of any country's policy.

The right to disagree is a legitimate right, and, likewise, the right of the Egyptian press to defend the Egyptian point of view is legitimate. The Egyptian press does not have the right, however, to level charges in such an unseemly manner against the Palestinian people and their symbols even though the Egyptian man in the street, who is known for his patriotism and political sense, is well aware of such writings. Frankly, the Egyptian leadership bears a major responsibility in all of this and must make its opinion known about such people who are going against the current of Egypt's Arab affiliation.

#### **Samples of Egyptian Press Statements**

AKHBAR AL-YAWM, in its lead editorial published in the Saturday 21 July 1990 edition, under the headline, "Who Is Slandering Whom?", said: "For 'Arafat to assail Egypt is nothing new. For him to be skeptical about the Egyptian policy's nationalism and pan-Arabism is not strange. For the sole spokesman of the Palestinian people to malign past and present Egyptian leaderships is an old habit he cherishes and delights in. For all these reasons," said the newspaper, "we were not shocked by what 'Arafat had to say. For the man was honest with himself, realistic about what he believes in and honest about his feelings. He does not guarantee his daily bread for more than a week. 'Arafat taunts us for receiving aid from America in exchange for kowtowing to it." The newspaper went on to say: "We do not know which one of us went to 'Arafat to talk to him about the hunger the Egyptian people suffer every time the weekly wheat shipment is delayed. All we know is we thank billionaire 'Arafat for his great concern about our empty bellies and our devastating economic hardship to the point of devoting a part of his historic speech before the Arab foreign ministers to reveal in figures the crumbs America doles out to Egypt week after week."

AKHBAR AL-YAWM went on to say: "Thanks to a man who, although addicted to the life of millionaires, has not forgotten the hunger of 50 million Egyptians who serve as host to tens of thousands of Palestinian brothers. It is certain that 'Arafat will recant, if he has not already done so, and will swear by all that is holy that he did not say

what he said or at least that American imperialism and world Zionism distorted his words in an effort to harm Egyptian-Palestinian relations."

The newspaper concluded its full-page political editorial by saying: "One last innocent question we address to Yasir 'Arafat: When will we see you in Cairo embracing President Mubarak, O Abu-'Ammar?"

Anis Mansur said in his daily AL-AHRAM column, "Positions," that the Palestinians did not leave the Wailing Wall, but rather sold the land and are still selling it and getting their price in Cairo. For most of the capital of the 192 Palestinian millionaires in Egypt is Jewish-Israeli, according to information obtained by state security and intelligence agencies."

But, Anis Mansur added: "Tell me, Abu-'Ammar, under what pretext are you going to come to Cairo 10 years later. By God, Abu-'Ammar, millions of Egyptians detest the Arab League's return to Egypt and detest more the fact that it is located 100 meters away from the Nile, a long distance that makes it difficult for them to push the building into the Nile in order not to see your faces."

Samir Rajab, in his daily column, "Dividing Lines," in AL-JUMHURIYAH said that 'Arafat is a mercurial man who can change positions very easily in every Arab capital he visits. His statements in Cairo, for example, are different from his rostrum speeches in Tunis, from his public and secret talks in Iraq, etc., meaning, plainly, that there are capitals for checks and there are capitals for criticism.

## **ALGERIA**

### **Progress Cited in Algiers Housing Project**

90AA0249A Algiers EL MOUDJAHID  
in French 11 Jun 90 p 19

[Article by S. Djebaili: "Housing in Algiers: More Flexible Mechanisms"]

[Text] The city of Algiers, taking note of the limits to the old savings-housing formula, by which it is impossible to satisfy the housing expectations of many citizens, has initiated new mechanisms and a new program [to construct] 2,705 units of housing as part of an "Enterprises" and real estate cooperatives campaign.

The profound economic and social changes brought about by rapid development and the rapidly and poorly controlled pace of urbanization in recent years have greatly altered the look and shape of our large capital city. The risk is that the problems and the constraints that have accumulated in almost every area in recent years could cause this development dynamism to grind to a halt. But among all these constraints, it must be admitted that creating housing remains the most acute problem and is among the major concerns of the day.

Thus the need to take responsibility for such an important sector is particularly felt, because no small part of the Algerian population is affected.

So responding to the heavy demand for housing is no easy matter. Because, in addition to the age and the cramped nature of the existing real estate, such an undertaking requires considerable financial resources to solve the problem once and for all. This can only occur if there are more property developers. Because until very recently there were very few of them. The demand for housing is constantly on the rise; furthermore, supply did not keep pace. This difficulty confronts us with a truth. It is impossible for a single property developer, whatever his means and ability may be, to respond favorably to every housing demand. Because for years housing promotion was the responsibility of the OPGI [expansion unknown], which, until 1987, was the main property developer. There was also the prefabricated program of the National Drinking Water Office [ONEP], as well as the EPLF [expansion unknown].

The state was responsible for housing in the city of Algiers. The savings mechanism thus made it possible for citizens to take part fully in EPLF programs. Unfortunately, despite all these efforts, this mechanism at present has not been able to achieve its anticipated objectives. Each initiative aimed at real estate promotion will reinforce operations that were already under way yet still inadequate, in an attempt to respond to citizen demand and the demands of social development.

These are undertakings that will undoubtedly make it possible to reduce the size of the shortage in the housing sector. With this in mind, the city of Algiers has begun an ambitious program to build and equip housing, one which will consider all possible solutions in the area of financing.

So since 1988 there has been an enormous amount of activity, with new real estate promotion mechanisms being launched to help put up housing. These undertakings have supplemented the programs of the OPGI and the EPLF, as well as construction-by-owner programs. Thus the city of Algiers has introduced a mechanism whereby joint People's Communal Assembly—Algerian National Savings and Insurance Bank (APC-CNEP) programs are distributed to all communes. Just about every APC in the city of Algiers has become a property developer. The central goal of the program is the construction of 12,000 units of housing, 8,654 of which are currently being built. The goal is thus to achieve a significant level of accomplishment in the area of housing.

At the same time, various mechanisms have been developed and actually implemented, and this has made it possible to plan for the building of 21,594 new units of housing as follows: cooperative housing, 4,500 units; EPLF, 6,294; OPGI, 584; businesses, 1,200; and construction by owner, 3,770.

In this regard attention should be drawn to the turning over of 55 titles of ownership at a ceremony that took place Saturday at city hall; involved was the opening of 2,705 units of housing; 1,095 of which were cooperative housing units and 1,610 of which were housing units in the public enterprise campaign.

This ambitious alternative arises from a determination to solve a thorny issue and respond positively to a shortage that has been with us for too long... These different mechanisms available to citizens are a real challenge inasmuch as they are supposed to affect a major part of the capital, which is proof of a serious coming to grips with the housing problem.

## EGYPT

### Health Minister Reports 137 AIDS Cases

90WE0217A Cairo AL-AHRAM  
in Arabic 18 May 90 p 17

[Article: "All AIDS Cases in Egypt: 44 Egyptians And 93 Foreigners. All Foreign Victims Have Left And All Egyptian Victims Came From Abroad. 21,000 Blood Samples of Those Most Exposed To Disease Analyzed and All Turned Out Negative"]

[Text] Is it true that the Egyptian Ministry of Health is concealing from Egyptian public opinion, and from the international organizations concerned, the true scope of the AIDS cases occurring in Egypt? This serious charge was repeatedly made in an international seminar held recently in a European capital, which was attended by the Egyptian minister of health Dr. Muhammad Raghib al-Duwaydar. The eminent Egyptian expert vehemently and unequivocally confronted the charge and carried it back to Cairo with intense bitterness.

It is the same charge that I have heard and continue to hear from many inside the country who claim that the Ministry of Health is purposely hiding [the facts], for political and economic motives based on the desire to avoid alarming the people and frightening tourists.

The minister fielded the question regarding this serious charge with great confidence and replied:

"I want to say, in the beginning, two obvious things which completely invalidate the charge. The first is the matter of my character, for this responsible minister is not portrayed as concealing the truth from the people. The second matter is my logic, since there is no reason whatsoever for concealing [Egyptian] AIDS cases while the highest percentage of cases are in America and Europe, such that the ratio in Switzerland, for example, has reached four in every 10,000. So why, when this ratio is publicized in the advanced world, should we conceal the scope of the real cases that we have, which in Egypt are as in every country in the Middle East extremely low and cannot be compared to the high percentage in America and Europe?"



[AL-AHRAM] I think that in completing your response to the charge you must announce in numbers, like a responsible minister, the scope of the AIDS cases in Egypt exactly.

[Al-Duwaydar] The scope of the AIDS cases in Egypt from the time I assumed the responsibility in 1986 up to now is 54 cases among Egyptians, of whom 10 have died, and not a single infection has been transmitted by the rest to an Egyptian or a foreigner—a matter of profound importance to be recorded for Egypt. In fact, it is almost without parallel. We discovered 93 cases of AIDS among foreigners, of whom four have died, and the rest were sent back to their countries. This is an urgent measure we are taking with foreigners when the blood analysis proves them to have AIDS.

[AL-AHRAM] Pardon. The word 'when' prompts me to ask obtrusively: Does the analysis happen by chance or according to a specific plan? [Al-Duwaydar] Certainly we do not wait for chance to uncover a case for us. There is a precise plan for performing the analyses from which we do not deviate. With respect to foreigners, we require AIDS analyses to be carried out for every foreigner who comes to the country to work or train or teach at the universities, or for any similar purposes, for a period longer than a month. Anyone whom we find to be infected with AIDS is sent back to his country immediately. In this way, we have discovered the cases of the 93 foreigners whom I mentioned previously and deported them.

[AL-AHRAM] And with respect to the Egyptians?

[Al-Duwaydar] A random analysis is performed monthly on 1000 samples, at least, taken from groups with the highest risk of infection from all parts of the republic. Among them, for example, are convicts and those who work fighting moral crimes. Until now, 21,000 samples have been analyzed, not one of which has turned out positive. This operation is what is called 'epidemic detection'."

[AL-AHRAM] Perhaps here the skepticism of some is aroused as to the extent of the soundness of the testing equipment or the chemical solutions themselves?

[Al-Duwaydar] I have one categorical response to this skepticism: We perform every analysis in two places at the same time, in the Egyptian laboratories and in the American [NMRW] organization. We do not accept any results unless there is consistency between the laboratories of the two parties.

[AL-AHRAM] And if the results differ?

[Al-Duwaydar] We retest until we get two consistent results. Can there be less reason for skepticism after that?

[AL-AHRAM] In light of analyses going on, what is the average number of cases monthly?

[Al-Duwaydar] Not more than 3 cases a month. All of the Egyptians afflicted at present got it outside the country.

[AL-AHRAM] Is every case discovered subjected to a study of why it happened?

[Al-Duwaydar] Definitely, so that we may exert our utmost efforts to define the causes and contain them.

I said to the Minister of Health: Then the question now automatically on the tongues of millions must be: What are the causes of the AIDS cases precisely?

Dr. Raghib al-Duwaydar specified three causes: First, sexual relations. What was meant by that when AIDS was first discovered was deviant relations, but now it has become any sexual relations between a sick and a healthy person, just like syphilis.

Secondly, the transmittal of contaminated blood, whether during surgery or via contaminated needles. By God's mercy, the AIDS virus is not found in large amounts in blood and one contaminated needle does not bestow it. It only happens through repeated injections with a contaminated needle. Were it not for this blessing from God, every drug addict who uses needles would be afflicted with AIDS from the first needle, for most of the needles with which they inject themselves, if not all, are contaminated. Because the addicts use these needles more than others, the percentage of AIDS cases among them is rising more.

Thirdly, the transmittal of the disease from the pregnant AIDS victim to the fetus. This occurs at a rate of 50 percent, but not always and not in all cases.

[AL-AHRAM] What was said about the possibility of the disease being transmitted through public baths and swimming pools?

[Al-Duwaydar] There is no truth to that whatsoever. There are only the three causes that I mentioned for the transmittal of AIDS. I want here to reassure the people fully of the impossibility of getting AIDS from someone sick with it through mingling with him in the waters of a public bath or a swimming pool or even by shaking hands with him in an office or through spray diffused from his mouth or through his saliva. He is a sick person who remains very ordinary. There is nothing whatsoever to fear from him if the three causes of the disease are avoided.

[AL-AHRAM] The three causes of affliction which you mentioned specifically and said that you specified [as necessary] for their containment and prevention lead us to an inevitable question: How do you establish this prevention?

Dr. al-Duwaydar defined the means as follows:

"In regard to the first cause, connected with the infection of a sound state by a sick state through sexual relations, we need no more than enlightenment. Egyptian society, by custom and traditions and behavior and within the framework of the teachings of its religions, is totally immune to infection with AIDS through sexual relations.

"With respect to preventing the transmittal of contaminated blood causing AIDS, we no longer import blood at all. From another standpoint, we have completed supplying all the Egyptian laboratories and blood banks with very modern equipment to discover AIDS in blood. Not a single vial of blood is any longer sent out from any part of the country until after it is analyzed and it is absolutely certain that it is safe. This operation has cost us \$5 million, in cooperation with the American AID Organization and the World Health Organization."

[AL-AHRAM] But we still import some blood derivatives.

[Al-Duwaydar] This is true, but we prohibit their use until after they are analyzed for AIDS. We are not satisfied at all with a certificate from their place of origin attesting to their being free of it. We insist upon making sure ourselves.

[AL-AHRAM] And as concerns preventing infection with contaminated needles?

[Al-Duwaydar] I think it is very obvious to everyone that we have very quickly converted to the one-time-use needle. Last year alone we used 30 million of them to vaccinate children, and there are three factories for producing them in Egypt now. In one year, in all the treatment and health care sites, we will not once use a single needle of the kind used repeatedly. On the criminal side, primarily the addicts' needles, where the danger is more glaring because of the repeated use of the needle, the matter is essentially dependent on the exhausting efforts being exerted now to clean out the dens of addiction and enlighten the youths as to its danger.

[AL-AHRAM] What about the third cause, having to do with the infection of the fetus with AIDS by pregnant mothers sick with it?

[Al-Duwaydar] We cannot do anything about this except to initiate the measure of testing infants as soon as they are born and following their condition, but without isolating either them or the mothers.

[AL-AHRAM] The matter of not isolating the AIDS sufferer was questioned by many.

[Al-Duwaydar] The AIDS sufferer is not isolated and is not treated as though he is the outcast of society. We are fighting the illness of AIDS, but we are not fighting the AIDS victims. They are in the beginning and the end human beings and must be provided with humane treatment the same as others. There is no need at all for isolation like those ill with fevers or the plague because the infection absolutely cannot happen by living with AIDS sufferers. It happens only for the three causes previously specified.

[AL-AHRAM] Perhaps we should finally stop with the demand, which is also made by many, that those coming from abroad must be examined at all the entry points of

the country to prevent the threat completely, as long as you are certain that all of the cases of AIDS are coming from abroad.

[Al-Duwaydar] First, this measure has been forbidden by the international organizations. Second, no country in the world has resorted to it. Third, it is impossible to implement it with the tens of thousands who enter Egypt daily, whether Egyptians or foreigners. Fourth, such a measure as this certainly infringes upon the sanctity and honor of families. Fifth, all of the previous considerations aside, if we assumed hypothetically that we tested all those coming in, and all the specimens came back negative on the day of the test, would that reassure us totally that everyone is free of the disease? Perhaps some of them might have gotten AIDS only days before they arrived in Egypt. That is the circumstance under which the AIDS virus does not show up in testing because it does not show up, as scientific fact confirms, until three or four weeks after one is infected. In such cases as this, what do we gain by testing upon arrival?

#### **Government Blamed for Weak, Intrusive Investment Law**

90AA0229A Cairo ROSE AL-YUSUF  
in Arabic 9 Jul 90 p 14

[Article by Fatimah Ihsan: "Private Sector Restriction Next August"]

[Text] Dr. Muhyi-al-Din al-Gharib, chief of the Executive Board of the General Investment Organization, explained that the government's general budget deficit was basically caused by the government's failure to manage its investments with the necessary efficiency. This has led to a budget deficit of 8 billion Egyptian pounds.

He said that Companies Law 159 for 1981 was the government's instrument used to circumvent the investment law enacted in 1974. This is being done because Egyptian capital has derived no advantages from that law.

With regard to present investment policy, Dr. al-Gharib said: "Investment policy has gone through successive stages, during which the government's income has grown at times, and greatly dwindled at other times. Land speculation began this investment process in Egypt. Part of the profits of this speculation was invested in Egypt, but the rest was smuggled abroad. We were unable to prevent that.

"There is also growing interest in investment areas that do not require large fixed assets, such as houses of investment expertise and bank branches, and in the production of commodities with a direct market demand. They called us executives of "carbonated water production." Despite the fact that there were thousands of job opportunities available in carbonated water plants, after a while, with the saturation of the local market, we stopped granting licenses for new factories

several years ago. Despite the job opportunities, and our need for them, Egypt is a country with an annual population growth rate of 2.6 percent, and requires one-half million new jobs each year. In addition, there is 2 million unemployed, the majority of whom are educated.

"The current stage of investment in Egypt is interlocking credit among industrial projects, which were begun in the eighties, in order to satisfy the local market. We are currently trying to increase the local composition of any Egyptian industry. Consequently, we have held several meetings between investment companies, the Arab Industrial Board and the Ministry of War Production, to reach an agreement on increasing the local composition for factory machinery and spare parts.

"Moreover, we have set the ratio of local composition for five dissimilar industrial groups at 75 percent, 60 percent, 50 percent, 40 percent, and 30 percent. With Egypt's current direction toward freeing its foreign trade, we have opened the investment door without restrictions, except for one negative list that will be announced next August. This includes projects that are off limits for private sector investment. For your information, most of them are strategic industries that require huge investments, which only the government is strong enough for. As for the gradation in percentages of local industrialization, and the connection between customs and tax exemptions for them, it is policy to attempt to exploit idle production capacities in Egyptian factories, so as to produce an operating system for someone else's advantage."

Concerning the distinguishing features of the new Investment Law No 230 for 1989, Dr. al-Gharib said: "We have taken care in this law to simplify measures, to encourage capital to keep struggling companies afloat and, consequently, obtain new exemptions over a 5-year period. That would be done during a transitional period of three years.

"With regard to foreign indebtedness in foreign currency, and companies having difficulties with their payments, the law permits their purchase in Egyptian pounds, with the proviso that they are reused in investment projects inside Egypt. In this case, the buyer enjoys a discount and the privilege of transferring his profits abroad in foreign currency, and reconverts his capital after five years. Therefore, we will have killed two birds with one stone, that is, abolishing part of the indebtedness in the Egyptian balance of payments in foreign currency and, secondly, reinvestment of it within Egypt."

Dr. al-Gharib stated that the investor will not get the advantages of the new law up front, as is the case for investors in Saudi Arabia. On the contrary, the investor in Egypt will get them on a deferred basis, after success in managing his project and making a profit.

Concerning the points raised by private sector organizations in their memorandum signed by heads of the

Federation of Industries, Chamber of Commerce, businessmen's associations, and the investors of Ten Ramadan, October, al-Sadat and al-'Amiriyah, in which they opposed the provisions of Article 9 of the law, especially the pricing of the output of investment companies, Dr. al-Gharib said:

"The fact is that this article did not exist in the old law but, even though it is in the new law, giving the government the right to intervene in pricing when necessary, investors should not be concerned, because there are four basic guarantees, in order to make a pricing decision:

1. It must be a basic commodity.
2. It must be a unanimous decision by the cabinet.
3. It must be guided by the true economic cost; and,
4. it must only be issued when necessary."

Concerning the third paragraph of Article 20, which investors said hinders investment in Egypt, and which stipulates that workers are entitled to not less than 10 percent of the profits without any upper limit, Dr. al-Gharib said:

"At the outset, I said that the draft law presented by the government did not include this article at all, and I don't hide the fact that it has led to a fall back of investments in Egypt. However, it came out of the People's Assembly, where this article was added. I will say in all candor that the question of pricing, and the distribution of 10 percent of the net profits without an upper limit, can only be redressed by a new, legislative amendment."

Before Dr. al-Gharib went on to list the new free zones, on which work is currently underway, he said that at the end of 1989, the number of projects that were being completed, which in fact produced 1701 projects, with a capitalization of 9.5 billion Egyptian pounds, and whose investment costs were half that figure, had an Egyptian percentage of 64 percent, an Arab percentage of 19, and the remainder was foreign investment.

Dr. al-Gharib added that the Council of State issued a decree permitting the expansion of factories through additional 5-year tax exemptions, providing that these expansions are done by increasing the project's capital and its fixed assets, without the use of new loans.

Returning to the subject of the new free zones, Dr. al-Gharib stated that the establishment of two new free zones was currently underway in Damietta and the new Cairo airport. He said that by closing down the storage projects located in the free zones, Egypt lost several millions of dollars. These projects were shifted to Cyprus. In order to correct this mistake, the free zone in Damietta will begin projects to store lumber. With the returns from these projects, the necessary facilities will be completed to establish industrial projects there.

### Computer Developments in Egypt Discussed

90WT0116A London AL-SHARQ AL-AWSAT  
in Arabic 25 Jun 90 p 11

[Article by 'Ala' Mu'tamad: "Adequate Training"]

[Text] Great attention is being directed in public and private sector circles to the manufacture of computer parts, in the wake of greater computer use by large administrations, companies or individuals and in light of the growing need for computer maintenance in particular. This is happening at a time when Egypt for the first time has begun to build an economic and commercial database for personal computer users in exchange for a fee. Inadequate training and the underutilization of computer capabilities, however, still present a major problem that ought to be tackled by competent people and officials.

Jihad al-Mijati, first under secretary of state for administrative development and chief of the computer section of the Central Agency for Public Mobilization and Statistics [CAPMS], believes that computer use in government offices, agencies, and the public sector in Egypt has increased manifold in the last few years.

As of the beginning of 1983, these agencies had about 211 computers. By the beginning of this year this number was fourteen times higher, jumping during this period to 3,260. The number of computers in the government sector grew from 30 in 1983 to 1,140 by the beginning of this year and from 80 to 1,173 in public authorities. As for public sector companies, the number is eight times higher, growing from 92 in 1983 to 775.

Jihad al-Migati added: "As if the proliferation of computers in these agencies in the absence of a highly trained and qualified technical staff able to design and build complete data systems were not enough, this situation could backfire and the computer system could become a burden to its users."

The Egyptian market is experiencing a remarkable growth in the number and the qualifications of computer training centers.

The CAPMS provides computer systems training to government and public sector employees. This kind of training is also available at the national level at the Cairo University Statistics Institute and the National Data Center began offering it as of the beginning of this year. In addition, many university curricula include computer science courses and the Ministry of Education is thinking about introducing such courses at the various educational levels.

Moreover, the National Data Systems Advisory Committee has completed a scientific study on the cost of computer systems maintenance with a view to rationalizing Egyptian management in this field. The study set a maximum cost for this service of 10 percent of the total annual purchase price of all kinds of computers and data processing systems.

In view of the widespread use of computers in recent times, this committee is also conducting another scientific study aimed at exploring the feasibility of setting up a national company for the maintenance of small and large computer systems.

It is noteworthy that a number of Egyptian establishments, including the Nasr Television Company, have pilot programs to manufacture black-and-white screens, printed circuits, all types of generators, and certain plastic and metal components, with the idea of importing the rest of the components from South Asia to be assembled and used in small computers.

Furthermore, under a recently-signed cooperation agreement, television and radio sets are being designed in cooperation with the Mansur factories in Iraq.

The latest in computer use in Egypt is the ability of the CAPMS national data network to link computer users and operators to statistical data thus providing the public with an Egyptian foreign trade database which is continually updated and which contains all the statistics on the volume and value of imports and exports from various countries and blocs, in addition to full data on importers and exporters, different rates of exchange over the years, databases on industry, employment, census, tourism, and benchmark price figures—a new service that can be obtained for a nominal fee.

Meanwhile, some companies and private establishments are showing a greater interest in entering the field of computer assembly and manufacture. In this regard, The Arab Engineering and Management Corporation, TEAM, has reached an agreement with Arab competent sides to prepare a feasibility study on the establishment of three computer production plants in Egypt, Iraq, and Algeria at a total cost of close to \$50 million.

Dr Mamduh 'Awni, director of the TEAM systems technology center, said that such plants are bound to narrow the existing computer-use gap between Arab and European countries and that this study will consider putting an Arab stamp on the design of the new computer in an effort to sidestep the traditional assembly process. 'Ala' Yusuf, market development director at TEAM, says that the corporation organizes Arab computer camps every year to train young people in basic computer systems to keep them in touch with the constant development in this field.

Dr 'Adil Fahmi, technical advisor for BEICO that owns the agency for the Sakhir personal computer in Egypt, said that agency owners are totally free to import such equipment from their production site and to import the necessary spare parts to maintain them and that, out of its desire to see technology proliferate at the work place, the government does not exercise any kind of pressure on these agencies.

Dr. Fahmi believes, however, that there is a great and growing training gap, in government agencies and public sector establishments that use this kind of equipment in particular.

He bases this view on the fact that these sophisticated computers are severely underutilized in terms of the capabilities they offer.

Fahmi emphasized that the Arabs actually have the technical and material capabilities to design an Arab computer and to develop software for it.

### **Wage Raise Viewed as Public Pacifier, Not Economic Answer**

90AA0224A Cairo ROSE AL-YUSUF  
in Arabic 9 Jul 90 pp 10-13

[Article by 'Isam 'Abd-al-'Aziz]

[Text] In an attempt to spare the people an increase in prices, the government has resorted to an increase in wages. However, in order to do this, it also raised prices to avoid resorting to deficit financing of the wage increase and thereby inflame inflation. Instead, it is financing the wage hike with real income sources.

The government chose, as the lesser of evils, a calculated increase in prices to rid itself of the predicament that it faces every year. However, increasing wages by this method has plunged employees into another predicament, because the increase in prices has exceeded the increase in wages.

Thus, the new wage raise has become a predicament for both employees and the government.

How did this predicament come about? What are its causes? Most importantly, what is the way out of it?

Early this year, the government considered adding the social wage increase, which is 15 percent of the base salary, to the next monthly salary of state workers, in implementation of the new system to reform the employment structure and the wage structure. In this way, the new social wage increase would be added in the framework of proposed amendments of the beginnings and ends of the determination of each employment group, the amendment of the [basis for determining the] beginnings of appointments, and the value of periodic annual raises.

However, after a thorough study, the government found that adding the social increase at present would greatly overburden the general budget. At the same time, it found that adding the raise would not have the same impact on state workers, because it would have the effect of placing these workers in higher tax brackets, thus subjecting their wages to increased taxation. Therefore, the government was satisfied this year with disbursing a wage hike of 15 percent of the basic salary of state workers and pensioners at a cost of 900 million Egyptian pounds, including 600 million Egyptian pounds for

salaries and 300 million Egyptian pounds for pensions. The government believed that this step would affect a kind of balance between wages and prices that would protect state workers from rampant price increases and provide them with a suitable living standard. The government naturally resorted to real income sources to finance the wage increase to avoid a random increase in inflation that would adversely affect all citizens and impede comprehensive economic reform measures. The best way to achieve this is to increase production and stimulate exports, and thus finance the wage increase with proceeds of real production, which is a long but safe route.

However, the government chose the most convenient and most dangerous method to dramatically confront the race between wages and prices. It decided to raise the prices of cigarettes about 20 piasters per locally produced pack, having earlier decided to increase the consumer tax on cigarettes by the same amount. Of course, all of the proceeds of this increase, estimated at about 400 million Egyptian pounds, will accrue to the state's general treasury.

Not content with this, the government also decided at midnight on 5 May to raise the price of gasoline by 15 piasters per liter. This measure is intended to generate 441 million Egyptian pounds in revenues, inasmuch as our average gas consumption is 2.1 million tons, and the price of a ton increased by 210 Egyptian pounds from 490 Egyptian pounds to 700 Egyptian pounds per ton.

The dramatic confrontation to which the government resorted continued to mitigate the fury of the wages-prices race, peaking with the decision to increase the exchange rate of the dollar in the Central Bank reserves, as of 1 July 1990, from 110 piasters to 2 Egyptian pounds to the dollar, a measure that will sooner or later lead to an increase in the prices of strategic commodities, the importation of which is financed by dollars of the Central Bank reserves, which will ultimately lead to successive waves of price increases.

Thus, the government has solved the problem of financing the new wage hike that workers will receive on the first of the month.

While the government has chosen the most convenient means to solve the problem, it has left state workers to confront price increases, which have escalated, with their limited salaries and 15-percent raises.

### **The Government's Predicament**

The government justifies its choice of methods to finance the increase in wages by maintaining that it is part of its comprehensive economic reform policy, and in accordance with graduated steps, so that everyone bears the burdens of these measures to the extent possible. The cost of economic reform is oppressive. Confronting our economic problems can no longer bear delay, especially since the burdens caused by these

problems have been shifted from the general state treasury to each family's household budget, and from ministerial committees to the calculation of each employee who attempts to cover his expenses within the limits of his salary. The predicament has thus come to confront both the government and the people.

The government's economic predicament has many dimensions, including, for example, the fact that the state's general balance on 30 June 1988 showed a deficit totaling 4.9 billion Egyptian pounds, while the final accounting statement for the same balance showed a deficit of 14.4 billion pounds, which must make us believe that there is a gap between the two numbers. In addition, the figures presented by this balance show that the net deficit financed by the Banking Apparatus [of the Central Bank] totals about 680 million Egyptian pounds, while the final account statement of the balance shows that this net deficit actually totalled 5.6 billion Egyptian pounds.

In coping with this large deficit, the government has tended to use many means to increase its funding sources, including increasing the price of gas, cigarettes, and several basic commodities, and increasing tax collection by 40 percent this year.

The complexity of the situation facing the government is compounded by the fact that it is hard-pressed and lacks the resources needed to finance the growing requirements of the subsidization of basic commodities, which increased from 9 million Egyptian pounds in 1960 to 3,579 million Egyptian pounds in the current year, of which 1 billion Egyptian pounds is directed at subsidizing bread alone. At the same time, the government is obliged to pay salaries and wages, which this year totalled 7,140 million Egyptian pounds, or 889 million pounds more than last year. This is in addition to the payment of 11 billion Egyptian pounds to cover the costs of government-provided education, health, youth and sports, and other services.

The government is also having to pay 3 billion Egyptian pounds to import food goods from abroad to cover the food shortage stemming from the serious inability of local production to supply food needs. The government is directing 85 percent of its foreign currency proceeds from oil, the Suez Canal, and other revenue sources to pay for these goods.

#### **The Source of the Problem**

The truth of the matter is that we would be placing our heads in the sand if we discussed these problems in isolation from other problems. The government is facing basic problems regarding the structure of the economy, including a shortage of foreign currency proceeds, unemployment, unstable export proceeds, a slowdown in agricultural growth production averages, and an increase in demand for food and other commodities. As long as the severity of these problems increases, and as long as prices increase insanely, any increase in wages will be consumed.

This occurred, for example, when the share of agriculture and industry in the gross national product dropped from 32 percent and 16 percent respectively in 1973 to 17 percent and 13 percent in 1988, while demand for agricultural and food commodities increased. This produced a shortage in the supply of these goods, which led to an increase in their prices that spread to the services sectors, even though the services sectors' share of the GDP [gross domestic product] had increased, and these sectors had not realized a deficit.

In addition, because local food production could not satisfy the growing demand, the prices of some food commodities, especially fruit, vegetables, and meat, rose substantially, and food exports declined while food imports increased amid a growing increase in world food prices. Because Egypt's domestic markets cannot tolerate these prices, the government had to impose compulsory prices and increase its subsidization of basic food commodities, which is one of the primary reasons for the frightening increase in the general budget deficit, which in turn is fueling inflationary pressures, which are an important factor in fueling price increases.

#### **A Predicament for the People**

Thus, the new wage hike, or any increase in wages, has become a perpetual dilemma for the government. It has also become a dilemma for the people, specifically the employees.

The household budgeter now seems like a circus tight-rope walker trying to maintain balance while attempting to plan the monthly budget in the face of increasing prices and expenditures and the decline in the value of currency, which makes calculations extremely complicated. With a fixed salary, even if we add the new social raise, it becomes difficult to imagine how a salary can be distributed to cover the needs of a five-member family, which include meat, poultry, vegetables, fruit, milk, eggs, cheese, clothes, shoes, toiletries, apartment rent, electricity, gas, water, telephone, transportation, miscellaneous, medical care, entertainment, private lessons, foreign books, and so on.

If the income of such a family is less than 100 Egyptian pounds, or even more than five times this amount, the problem still poses a complex dilemma. To confront this situation, people are finding themselves compelled to sacrifice, such as not buying meat in favor of vegetables; giving up free time to take on additional work, which can increase income a bit; joining a "collective," which can yield some savings each month that ultimately help to pay school expenses or the mortgage; compromising some values for money in one way or another; becoming resigned to a limited salary; becoming satisfied with the necessary food and clothing; and giving up spending on entertainment and some necessities. We thus exhaust the solutions to which people can resort in coping with the predicament of prices and wages.

This is the rosy side of the picture. However, for some of us, the most important thing is not what has to be conceded to obtain something else.

This predicament is exacerbated by economic shocks, such as helping a daughter that wishes to marry, a son searching for work, or a seriously ill family member. People customarily face such situations with patience and faith that God will protect and not betray them. In most cases, the crisis passes and the family returns to the bitter race between wages and prices.

### Controlling Prices

If the government intends to hinge solving the problem of wages and prices on reaching a comprehensive solution to the economic problem in all of its dimensions, we nonetheless see a close relation between the increase in prices and political and social stability, a relation which the government is well aware of, and which makes it strive constantly to cope with price increases by raising wages.

However, this solution is nothing but a local anesthetic. As soon as it wears off, people are left to face the pain caused by the continuous increase in prices beyond wage increases. If markets in Egypt are currently witnessing a large increase in the prices of almost everything—from soap, meat, and clothes to cars, wedding costs, and the costs of private lessons—this increase is caused by the severity of inflation, which sometimes reaches 30 percent, and which weakens the people's purchasing power, because their resources are no longer adequate to cover their needs. This has led to stagnation regarding buying and selling in the markets, which has in turn exacerbated the economic convulsion and inflation. Thus, the government and the people are going around in a vicious circle.

Therefore, the government, which is taking practical steps to implement a comprehensive solution to the economic problem, must take into account that there is a great imbalance and solid control and monopolization of marketing processes by a number of merchants and middlemen, and that the continuation of this situation threatens to put an end to numerous production programs, because monopolization breeds excessively high prices.

In general, the government has before it a clear solution and a known method, which it is nonetheless staving off.

We will not emerge from this crisis by means of an annual increase in wages financed by an increase in prices. We will not be saved from this economic predicament by foreign aid, but by an increase and intensification of production.

This is the only way that will ensure that the money in the people's pockets has value. We teach this method to our children in the schools. However, we do not implement it, and then we complain that these children are being transformed into legions of unemployed.

### Economist Outlines Plan for Ridding Reform of Obstacles

90AA0220A Cairo AL-AHRAM in Arabic 22 Jun 90 p 7

[Article by Dr. Mahmud Abu-al-'Ayyun: "Obstacles Impede Economic Reform"]

[Text] Dr. Mahmud Abu-al-'Ayyun, professor of economics in al-Zagazig Commercial [College], assesses and enumerates several obstacles that impede economic reform.

These obstacles must be eliminated. Despite the complete awareness now, or rather, the inevitability of economic reform, regardless of who will bear the burden of reform or who will pay for it, we find that the need is urgent. First, we have to begin to prepare the way for the reform campaign, so as not to cause this campaign to stumble and, as has happened before, turn into a mere patchwork operation that goes no further. Preparation is required, so that we may ensure the effectiveness of measures that may be taken to achieve the reform goals.

I can enumerate several areas that could cause the effectiveness of the economic policies to be limited, because each of the areas is linked to other areas and activities.

The first area is the government's general budget.

In any economy, one can now be assured that no matter what the general budget estimates are, and no matter what the goals of the drafts sent to parliaments are, the crucial factor is in the final accounting. As a clear example, the 1987-88 budget aimed for a net deficit of 680 million Egyptian pounds, while the actual deficit was 5 billion Egyptian pounds. What was the cause? I think that the cause could be the following:

1. The budget bears the economic burdens of the agencies. It is assumed that these agencies will at least achieve financial balance, but in light of Law 11 of 1979, these agencies' current surplus revenue must be turned over to the state budget. The balance of capital transfers are borne by the current deficit, as well as the obligations connected with these agencies' investments. Why not overcome this obstacle and complication, especially since agencies such as the railroad or the postal department produce, in accordance with their regulations—Law 152 of 1980 and Law 19 of 1982—a large source of the deficit in the government's general budget?

2. The budget bears the burdens of public sector agencies and companies, either directly or indirectly. Who bears the burden of financing the deficit in these companies' budgets? Who replaces the lender banks for public sector companies? Who converts these companies' loans into shares in their capital, to say nothing about who lends these companies money to finance their investments? What is the amount of money that the National Investment Bank lent to these companies? What is the impact of these costs? Why then do we say



that the public sector budget should be separate, despite the fact that it is a part of the public treasury's budget?

3. Discussion regarding the National Investment Bank as a financier for public sector companies' investments opens the way for discussion about the insurance and pensions agencies, whose funds are considered a main source of the bank's income. The bank obtains these funds in exchange for paying interest on them to those two agencies. In light of its wish to maintain a low cost with regard to the funds paid to the public sector, the bank also pays low interest on the funds borrowed from those two agencies (6 percent approximately, with an attempt underway to raise it to 10 percent annually). This results in insufficient income derived from investing the two agencies' funds to compensate for the burdens of pensions and insurance. Is this what leads to an "actuary" [aktwari] deficit, which the government's general budget bears?

With regard to all these matters, why don't we overcome these obstacles, so that we can ensure an effective, well-regulated general budget for the state?

The second area is the cost of private and public funds.

The previous discussion about the National Investment Bank impels us to ask about the reason behind this bank's financing of investments of public sector companies and agencies, and the economic and public agencies, out of its revenues, at a cost that is less than the cost of loans at other banks. Does economic reform need more support of the public sector and governmental and quasi-governmental agencies? Or should public funds be different from private funds and, consequently, should there be a different price for obtaining each? Is it not one of our basic principles that the cost of obtaining capital be uniform at the outset, and then later differentiated in accordance with the desired economic activity? Why does the National Investment Bank loan the funds of others—and not its funds—at 10 percent annually, while the discount rate set by the Central Bank is 13 percent? What is the crime perpetrated by government employees, when they are aware of possibly investing deductions from their salaries at interest up to 16 percent a year, except that that benefits government employees with greater security and bigger pensions in the future? In order to remedy this interference in the pricing of public capital, which does not reflect its cost, shouldn't we call for the National Investment Bank to be a mere conduit through which all public sector companies, and their units, must go when they wish to finance their projects, so that the unit of income required to manage the investments of the government's general plan is at hand?

This second area must be considered if we want the reform campaign to move forward.

The third area is the parasitic groups.

If the aim of economic reform is to give a strong impetus to private and public units in order to gain economic

growth, and if the public sector is one of the areas that must be developed and freed in one way or another, then we must ask: Of the total profits of public sector companies, what percentage was deducted for the benefit of specific interests, such as youth and sports, and the Social Assistance Bank? Why do these companies, whose motivation must be profit, and not social welfare, have as their goal such obligations as these?

Can't the sports associations arrange for funds from actual local revenue, either competitions or other means? What does the Social Assistance Bank offer in terms of banking services that allows it to be called a bank?

Shouldn't these encumbrances on public sector budgets be abolished, so that basically it can be developed and liberated, and made to go along with the reform campaign?

The fourth area is unity of the national economy.

Finally, I realize that the Egyptian economic is unique in composition. It has agencies and departments that have a kind of independence exclusive of the central government. Therefore, reform measures are not applicable to the independents. Why don't we begin to look at these independent groups, and include them within the single framework of the national economy, which is in need of reform?

The previous areas—as examples—are only stumbling blocks impeding the road to reform. If economic reform is necessary, then the road must be prepared for that campaign, decisively, and fundamentally, if we want these economic measures to have a high degree of excellence, so that reform can achieve its desired goals, without side effects from which the national economy could suffer.

### **Writer Stresses Need for Clarifying Banking Operations**

90AA0250A Cairo AL-AHRAM AL-DUWALI  
in Arabic 22 Jul 90 p 6

[Article by Rajab al-Banna: "Where Do Permissible and Forbidden Lie in Bank Transactions?"]

[Text] Of the many urgent problems that press upon us, the problem of bank transactions is in the forefront. Long delays, vacillation, and anxiety while waiting for the issue to be settled will effect both the economy of the country as a whole and individual investments. Closing the way to investment through banks will open the way to devious methods. Perhaps the investment companies disaster was enough to serve as a lesson to anyone with intelligence. The problem, which has been worrisome for many years, presses heavily on consciences and raises anxiety in a matter that touches people's lives and the progress of their society very deeply.



I do not think that concern about possible reaction enters into the calculations of his excellency the mufti, Dr. Muhammad Sayyid Tantawi. In every fatwa he has issued, it has been his habit to confront energetically those who have already announced opposition, whatever the nature of the fatwa in question. Furthermore, his excellency the mufti is too strong, self-confident, and courageous to express an opinion without full conviction. It is his nature to study the details very carefully from specialists and follow the discussion very patiently until matters become completely and unambiguously clear to him. As everyone knows, he paid long and repeated visits to all the banks. He followed activity in every department and understood the way each of them operates. Thus he avoided the common failing of most sheikhs who are Islamic jurists, whether they permit or forbid [banking transactions]—namely that most of them have not studied the details of banking operations. They have not studied the relevant principles, economic theories, management, and law. This has caused these eminent sheikhs to speak about the function of banks as if they were intermediaries that did nothing but receive deposits and give their owners interest, or offer loans and obtain interest in return for them. This is an unbalanced, inadequate conception. Some of our eminent sheikhs—as the proverb goes—want to put the elephant into a handkerchief. Banks are modern specialized financial institutions. The contracts involved in their transactions are complex and new in nature. They must therefore receive a new study, different from everything that is in the books of classical Islamic jurisprudence.

Banks perform numerous operations. It is therefore difficult to permit or forbid all their transactions. For example, the operation of receiving deposits takes many forms: demand deposits (open accounts), fixed-term deposits that the customer cannot withdraw early, deposits that can be withdrawn with previous notification, deposits in the bank's savings fund, and collateral deposits in return for guarantees or credits. Are they all forbidden, or are they all permissible—with one stroke of the pen, without following up the activity and measuring each step in it?

Even loans—most of our eminent sheikhs group them under one category and make them equal, although their many forms differ greatly: personal loans without material collateral, loans with collateral (goods, agricultural crops, etc.), loans with securities as collateral, loans secured by commercial papers (promissory notes), loans secured by investment certificates, and loans to employees secured by transfer of their salaries to the bank. Are they all forbidden, or are they all permissible—in one word, without considering the difference between these forms?

When our eminent sheikhs talk about loans, they picture a poor person who has to feed his children or give his daughter in marriage. He turns to the bank for a loan to protect his life or dignity, and the bank exploits his need and forces him to pay usury. Such poor persons who borrow to keep body and soul together are not the

customers of commercial banks. They belong [in the same category as] winter relief, pensions for the descendants of the Prophet, social security, or interest-free loans from the Awqaf Ministry or Nasir Bank. They are completely outside the sphere of discussion concerning bank activity.

Anyone who knows the course of bank activity knows that the loans that banks offer do not involve the element of urgent need to keep body and soul together. They involve no exploitation. Rather, they involve a good deal of partnership to realize profit for both sides—the bank and the customer. Commercial banks provide loans for establishing industrial or commercial projects, building houses, buying new equipment for expansion, or land reclamation. They provide these loans to those seeking them only after making a detailed technical study of the project and determining its likelihood of success and probable rate of profit according to detailed mathematical and technical studies. If failure is probable, the bank does not provide the loan. This means that in reality it is not so much a loan as a partnership in the investment by the bank.

One should also note that banks do not set a single rate for their profits for all cases. The rate differs from one activity to another. The interest on a loan invested in housing projects, building a factory, or land reclamation is less than the interest on one invested in commercial activity. This means that banks are not “usurious,” exploitative financial institutions, as people find it easy to say. Instead, they give priority and preference in their funds to development projects that will realize the welfare and goals of society. They are not exploitative institutions, as some people ignorantly repeat, but have turned into a service system—as proved by the fact that net profits do not exceed one percent. Part of these profits return to the government; the remainder is earmarked for a reserve and allocations to cover possible losses.

The concept of a bank as a “partner” is strengthened by the fact that the bank bears part of any eventual loss. It begins by waiving some or all of the interest. It goes on to waive some or all of the loan. All banks have a standing item called “lost debts.” At every bank there is a committee that discusses the cases of projects that are in trouble in order to cancel part or all of their obligation. In every bank's budget there are allocations for this purpose. This proves that loss is as much a part of a bank's activity as profit and that in bank transactions there is both appreciation in value and depreciation.

The idea that loans are in reality partnerships is strengthened by the fact that the customer undertakes to provide an estimated budget for his projects or activities and a final statement informing the bank of any essential change in his financial position. The loan contract gives the bank the right to intervene in the customer's financial dealings in his project. He may not, for example, pay profits to shareholders in the project in excess of the real amount of profits realized, pay excessive salaries or

remuneration to top executives, pledge any of the project's assets, or merge with other businesses. In other words, the bank is also a partner in management.

Furthermore, if the project or borrowing company falters, the bank usually makes special arrangements with it to postpone repayment of part or all of the loan, waive part or all of it, or give the project additional funds to help it solve the crisis and get to shore safely—and with the money the bank gives advice and expertise.

Thus, isn't it possible to consider the bank's relation to a project and its owner the relation of a partner, although the bank's contribution to the project is called a loan? Or, might one not alter the name, if it does not describe the transaction exactly?

But the following question arises: Granted that the bank is to be considered a partner in the project despite the use of the word "loan" to describe the relationship, doesn't the bank, despite its occasionally bearing some or all the losses, set its profit in advance and set this profit at a percentage of the principal? This is a question that requires the opinion of Islamic jurisprudence. Under the Shari'ah, is it permissible for someone who participates as a partner in commerce, manufacturing, or agriculture to set the percentage of his profit in advance, or is this forbidden—even if the possibilities for profit are guaranteed, given the progress in methods of statistical measurement and probability, and with feasibility studies and market need predictions by mathematical means having almost no margin for error?

This is an extremely important question. Is it permissible for the profit rate to be set in advance? Is it permissible for one partner to obtain his profit as a percentage of his money, while leaving the other partner the remainder, whatever its amount may be?

Is what some of our sheikhs say true—that bank transactions qualify as "usury" because "they are gratuitous compensation for money by money"—once we realize that banks do not receive interest gratuitously, but receive it in exchange for the acceptance of risk, partnership in the project, making studies, following work, discussing the project's budget, and supervising its management? Thus, the analogy needs to be reconsidered.

No country exists without banks that work on the same foundations and principles as banks among us. That includes Saudi Arabia and the other Arab and Islamic countries. No institution exists—at least at present—that can play the basic role in progress and development that banks play. There is no similar institution that can hold millions in individual, corporate, or government funds. (The Egyptian National Bank, for example, holds 21 billion pounds.) There is no similar institution to fund the investment projects of individuals, corporations, and governments with millions and tens of millions and to invest their money directly or indirectly in projects that are guaranteed because they are based on scientific foundations and technical studies prepared by specialists. All this makes the banks worthy of trust.

Although the Islamic banks are an excellent idea, we must remember that they are still new and face difficulties. We need only realize that Saudi Arabia has still not created an Islamic bank, because confidence in the success of the experiment will require decades. When the Islamic banks suffered financial shocks, the Egyptian commercial banks, which the jurists of the Islamic banks like to call "banks of usury," hurried to deposit part of their funds interest-free in these Islamic banks to provide liquidity and rescue them. Thus, the commercial banks are indispensable, at least for now. Even the "Islamic" investment companies used to deal with the banks. They used to place part of their assets in commercial banks and placed their overseas funds in commercial banks. There are even eminent sheikhs who own banks which they have placed at the service of the economy outside Egypt. These are a kind of bank one might call "Islamic banks that do not benefit us, although they naturally benefit their owners."

Finally, we must consider the fundamental role that the Central Bank plays in monitoring banks and assuring that they implement the government's banking and financial policy. It keeps in its vaults one-quarter of the deposits that exist in the banks. It keeps the banks' cash reserve, as well as the reserve of foreign currency. It controls the amount of credit and the implementation of monetary policy. All this provides confidence and a guarantee for the activities of the banks.

#### **Population Redistribution Said Cure to Density Problem**

90AA0220B London AL-SHARQ AL-AWSAT  
in Arabic 23 Jun 90 p 8

[Letter to the Editor by Sabri Ahmad al-Sabri: "Comment on the Declining Birthrate in Egypt"]

[Text] In Friday's issue, No. 4210 dated 8 June 1990, the Arabs' international newspaper [AL-SHARQ AL-AWSAT] published an article on the front page, under the headline: "Birthrate in Egypt Declines." The article discussed certain facts about the population, population increases, births and deaths in the Arab Republic of Egypt. The fact is that the population question in Egypt in particular, and in the Arab and Islamic world in general, is an important and serious problem with regard to its impact on the present and future Arab situation, because that problem represents one of various fundamental issues. If the population problem in Egypt represents a huge weight, and the majority claims that it is the most powerful of obstacles, devouring the growth rates, there are many other positive facts, which this one and that one purposefully ignore. They have their motives for reducing Egypt's population density, no matter the consequences or results. At the outset, we must agree that Egypt does not have a population crisis, or what they call a "population explosion." However, we must recognize that Egypt does have a problem called "poor population distribution." Egypt is spacious, and its resources are abundant and varied, but the exploitation of those

resources is limited and confined to some areas to the exclusion of others. Those who believe that there is a population explosion in Egypt probably think that Egypt's area is only the Nile Delta, with some land adjacent to the Nile River. Those who claim that there is a population explosion in Egypt forget that more than 90 percent of Egyptian territory is nearly devoid of population, and that the populated 10 percent suffers from progressively increasing population pressure, causing services to collapse because of consumption rates, which transcend all technical specifications and measureable limits. This can only be called by its true name—poor population distribution. There is still virgin, arable land that has not yet been prepared for habitation.

Despite the fact that this land is located at latitudes that would make a desirable climate for any country in the entire world, the continuous historic legacy of the Egyptian people has been to cling to the Nile Valley, without trying to obtain potable water at a more distant place in the eastern or western desert. On the contrary, they continue to use the *shaduf* [counterpoised sweep for raising irrigation water], the *saqiya* [irrigation water wheel], and the "machine," to scoop it up directly, and this does not achieve the desired population dispersal. Even in this age of gigantic machines, that desired leap forward has not been made, in order to achieve the expected equitable redistribution of the Egyptian people over Egyptian territory.

Therefore, continuous moaning over Egyptian population increases is unjustifiable, because the cure for that crisis is not what the Family Planning Organization in Egypt pursues, nor what the National Population Council in Egypt thinks, since Dr. Mahir Mahran himself prepares reports about birthrates and deaths, and believes in the depths of his heart that decreasing those rates will achieve lowering of population density in Egypt.

Despite the Family Planning Organization's failure so far with regard to its mission in Egypt, those who founded it are trying to propagate factors for the continuity of its mission and claim that its existence is a necessity.

The item published in AL-SHARQ AL-AWSAT mentioned that "during the past four years, the birthrate has continuously dropped, and has all but stabilized at 37.5 per 1,000. The death rate has also dropped to 8.6 per 1,000, as a result of progress in medical care."

The report published by the National Population Council in Egypt added that the population in Egypt is increasing at a rate of 1 million persons every nine months. This threatens Egypt with a "population explosion." The report goes on to explain that "more than two-thirds of the Egyptian population are between the ages of 15 and 30, which are the marriageable years. Moreover, Egyptian customs and traditions still continue, especially in rural and Upper Egypt, to encourage girls to marry at an early age and to bear children for the

maximum number of fertile years." In a review of statements made in the previously mentioned report, we note that the general orientation of those in charge of the Family Planning Organization in Egypt is toward curbing childbearing. The organization has only the means of preventive implements that America provides which, in certain cases, lead to complete sterilization of the Egyptian woman.

When the Family Planning Organization in Egypt claims at one time or another that the reason for the population increase is attributable to "progress in medical care," one must be aware that this medical care is a natural right of the Egyptian people, and the Family Planning Organization must not—at one time or another—"graciously bestow" that medical care on individuals or groups of people, because it is self-evident that Egypt is a bastion of medical strength and has excellent Arab and international doctors. If there are "societies for the prevention of cruelty to animals" in all countries of the world, then the first priority must be to have organizations and hospitals for the prevention of cruelty to humans.

Egypt is not the smallest country in the world in size, nor the most numerous in population. Therefore, one must work to exploit those vast national resources, by redistributing those huge human resources. God created man and his means of livelihood; the crises and famines in the world have resulted from man's laziness and lack of purpose.

Therefore, the obstacles of collapse and laziness must be smashed, and fields of endeavor and work must be boldly embarked upon, so that man can interact with the land in a complete, organic blend. The chest swells with the great leap forward. In the recent Arab Summit Conference, Colonel Qadhdhafi called for connecting the population increase in Arab countries with a call for opening the borders for Arab population redistribution, along with working for growth of development rates and making real work opportunities available to the Arabs. This is an important, supportive call for Arab security on all levels, because it would achieve the revival necessary for Arab progress toward a true, committed unity, which the Muslim Arab will create as he did in the past, while cutting a road between Baghdad and Marrakesh. Don't ask him where he is going; all the Arab homeland is his homeland, Arab hopes his hopes, and Arab suffering his suffering.

Despite the fact that population can be an obstacle to development, leading to still more neglect, the fact is that human wealth is the buttress of progress. For example, China with its human resources is in the vanguard of human societies in terms of population density. Yet, it has been able to guide population distribution and exploit its human wealth admirably, which has placed China in the forefront of Third World countries, and has pushed its growth and progress to high levels. South Korea, which resembles Egypt in terms of ratio of population density to land area, is now also the next

giant to occupy a lofty place in the world of upward development and advancement. In this regard, there is nothing more amazing than Japan; it has turned all its people into highly-trained workers, which has put Japan into a preeminent position.

Among the causes of population increases in Egypt, as stated by the National Population Council, is that more than two-thirds of the Egyptian people are of marriageable age. It is natural that people marry, because that is the customary procedure of life. The blessed Prophet instructed the youth: "Oh ye young men, those of you who can settle down, marry! And those of you who cannot, persist. Abstinence for him; then, marriage."

The youth in Egypt understand the importance of the blessed Prophet's guidance. He revered marriage, considering the costs of marriage to be slight and easy to support. "For the few of them, a dowry; for the many, a blessing." Eagerness to build a Muslim family is the goal of marriage, not a material goal, but a lofty, spiritual purpose, strongly connected to the Islamic faith.

There is no doubt that the population increase resulting from a sound marriage, as is the case in our Islamic societies, is better than the creation of societies crammed with foundling children and adulterous people. The previously mentioned report also stated that another cause of the population density was the continuation of Egyptian customs and traditions, especially in rural and Upper Egypt, which still encourage girls to marry at an early age and to bear children for the maximum number of fertile years.

Wonder of wonders! I wish I knew what they wanted in that paragraph of this astounding report! The continuation of Egyptian customs and traditions in this regard is the continuity of the blessed Islamic *shari'ah* [Islamic law]. The marriage of girls, their protection and concern for their chastity, are some of the main goals of the orthodox Islamic faith. Everybody knows "customs and traditions" will continue, no matter what programs the Family Planning Organization has to change those "customs and traditions."

A comprehensive look at the issue of population in the Arab world is the only way to find common ground for individual Arab goals. God Almighty provided us with enormous resources, and commanded us to strive earnestly. The population in our great Arab world must be redistributed, and the Islamic, Arab state of mind changed into an awareness of how to compete with other societies in terms of progress and prosperity. If we are reluctant to work, and if we remain stagnant and idle, we will most unfortunately be a sick society.

## IRAQ

### Experts Discuss Social Development of Youth

90AE0182A Baghdad AL-JUMHURIYAH  
in Arabic 21 Jun 90 p 5

[Remarks by Zafir Muhammad al-Jabburi, the general director of youth welfare in the Ministry of Labor and

Social Affairs; Judge Nawwar Muhammad Nasir, a juvenile court judge of al-Rasafah and the deputy chairman of the Juvenile Welfare Council; Dr. 'Abd-al-Sitar al-Kabisi, the director general of the Ministry of Justice; and Lieutenant Colonel Mazlum 'Atiyah Hamd, the director of the Juvenile Welfare Police; by Maryam al-Sanati]

[Text] Nations build a strong existence by first building their youth soundly. A correct, sound basis for raising and supervising juveniles is doubtlessly reflected in the building of a generation that is aware of its social and family responsibilities.

Our wise leaders have devoted great concern to this area, ranging from concern for infants to concern for juveniles and the monitoring of problems to which juveniles are vulnerable. They have enacted numerous laws and legislation that have helped many concerned institutions protect youth from various forms of delinquency. Many factors and aspects are responsible for preventing youth from falling into crime and delinquency.

This is the topic that we brought up for discussion. We asked: How can we keep our youth from falling into crime?

Many specialists in this field participated in the discussion.

The first of those interviewed is Mr. Zafir Muhammad al-Jabburi, the general director of youth welfare in the Ministry of Labor and Social Affairs. He states:

The problem of youthful crime is a sensitive, complex problem requiring of us a serious, scientific attitude to study its reasons and motives, inasmuch as this phenomenon now faces all human societies.

Therefore, this problem requires the great care and concern of the official and popular institutions that are responsible for remedying it, especially their care and concern for juvenile delinquents and youths exposed to delinquency. These institutions—which are an unbroken, harmonious chain that includes the family, the schools, social institutions, and public organizations—must draft active, effective programs to develop youths.

The party and revolution leadership, headed by President Commander Saddam Husayn, may God preserve him, has devoted special concern to children and youth, whom it considers the true revolution, in an aim to build a sound society that is free of all difficulties and that offers a clean environment conducive to the physical, moral, spiritual, and intellectual development of the personalities of youths based on scientific foundations that can enable them to withstand the social problems and difficulties encountered in daily life, and to avoid sliding into the abyss of crime. Law No. 76 of 1983 on Juvenile Welfare was promulgated on the basis of the

revolution's moral values and concepts. It includes principles and basic goals aimed at curtailing juvenile delinquency, treating offenders, and helping them to adapt socially, morally, and vocationally according to sound human values. This means that the law was authorized as a basis for prescribing general policy on delinquency based on two goals: First, prevention, and second, treatment and follow-up care.

Many basic points can be taken into account regarding these two areas.

Areas of prevention include the following:

Regarding the family, a scientific, humane view regarding juvenile welfare requires making special efforts to protect juveniles from deviation by employing different means and measures, including protecting the family from breaking apart, so that the family can care for its children based on economic, psychological, and social assistance, and through its awareness of the problems of children, methods for coping with them, and the family's role in fostering a sound family atmosphere that ensures the appropriate social growth of children.

Regarding health care, it is important to provide integrated health care to the family in the areas of prevention and treatment, as well as counseling to parents to ensure the birth of healthy children free of structural defects such as mental disability and psychological disturbances, which might lead to juvenile delinquency and other criminal behavior.

Regarding education, needed are: schools that attract youngsters; efforts to prepare school curricula suited to the growth of children's cognitive, emotional, and physical abilities; the programming of different school activities that satisfy pupils' inclinations and tendencies, so as to distance them from truancy and exposure to delinquency; the early detection of students who are vulnerable to delinquency through the examination of students exposed to delinquency, or problem students, by school, psychological, and social services offices involved in the prevention of delinquency, which can be achieved by distributing this responsibility among public and professional organizations and school administrations in the field of psychological and social welfare to protect against delinquency; the activation of parent's councils and their active role in becoming familiar with children's psychological, social, and learning problems, and cooperating to solve them.

This is in addition to deepening the national and religious awareness of juveniles; spreading security and legal awareness among children; coordinating with pertinent media agencies to broadcast programs with an educational effect on children, so as to help expand their mental faculties, create a shining youth culture, and eliminate programs containing violence, crime, and sex. There is also a great need to devote attention to the Juvenile [Welfare] Police by selecting academically qualified personnel and preparing them especially for dealing with youths. Finally, there is a need to monitor the

implementation of legislation that prohibits the employment of minors to prevent their exposure to any exploitation injurious to their physical and mental health, or their exposure to harsh experiences that might lead to delinquency, with emphasis on providing special supervision to working juveniles who are permitted to work due to the nature of their physical formation and the fact that they have not yet reached mental and psychological maturity.

There are very many points in the area of treatment and follow-up care. Perhaps, the most salient are: the use of scientific formulae to study, diagnose, and classify juveniles; concern with the development of the abilities of youths to believe in God and the divine prophecies; emphasis on human values and divine principles and morals; concern with the development of the abilities of youth through continuous education and self-cultivation; emphasis on the principle of the sovereignty of the law and the role of order in maintaining the stability of society's security; and efforts to train juveniles in a trade and to develop their innovation and creativity.

Follow-up care is considered an important preventive treatment means that re-adapts the behavior of deviant youths after they complete reform school placements. It is based on moral and social rules and values that prevent the return of these youths to delinquency, so that they become useful members of society.

### The Danger of Delinquency

Judge Nawwar Muhammad Nasir, a juvenile court judge of al-Rasafah and the deputy chairman of the Juvenile Welfare Council:

I believe that the family can play an important, active role in protecting its members from the danger of deviation and crime by raising them on noble character traits and helping in the selection of friends, because much juvenile delinquency is caused by bad companionship. Also, by sending their children to school at the legal age, families can indirectly distance their children from the risk of delinquency, inasmuch as these children will be occupied with their studies and will not spend time in the streets and public squares, which is otherwise conducive to delinquency.

The school can help the family protect juveniles from the risk of crime and deviance. The school's role must not be limited to teaching specific lessons. It must go further to supply students with values and warm customs, and attempt to distance them from factors that corrupt their morals. The school must teach them Arab values and customs, and distance them from traditions that originate abroad, which might lead to delinquency. Also, by informing the family of the academic level of the child, the school allows the family to be aware of the child's academic level and attendance, inasmuch as we have noted, regarding cases presented to this court, that a very large percentage of juvenile delinquents are among those who fall behind in their studies or drop out from the

primary or intermediate level. It is rare for a youth who excels in his studies to commit a crime intentionally. Therefore, treatment of truancy is considered an important factor in preventing delinquency. A third important point is that the juvenile courts can participate in treating delinquency by evaluating the appropriate disposition for each case separately. The juvenile court has numerous options for imposing a disposition. It can hand the youth over [to his parents] in cases of misdemeanors or infractions, or it can impose a fine on him. It may also place him under supervision in the event that he commits a misdemeanor or felony. Confinement is not a duty of the court except in cases of felonies punishable by execution or life imprisonment. The juvenile court may decide to impose a fine on the juvenile if the crime is punishable by detention or imprisonment for a period not in excess of seven years.

The need for juvenile court judges to examine the experiences of developed states, or at least the experiences of the Arab states, in the area of juvenile cases, will lead necessarily to greater knowledge and expertise on the part of the juvenile court judges in fighting crime and curbing juvenile delinquency, whose alarming proportions must be confronted and stopped by the institutions of the state and society.

Another important point is that the institutions in which the juvenile spends his placement are reform schools (the reform school for boys, the reform school for girls, and the school for legally major youths) that must be scientifically qualified and able to make the youth's placement a period of reform and adaptation, so that after the reform period, the youth is suited to living in society and able to refrain from violating the law. Based on my experience, I believe that the reform schools, in their current state, cannot achieve the legislator's goal and what is stipulated in the Law No. 76 of 1983 on Juvenile Welfare, because these schools are so crowded that it is difficult for the school administrations to apply reform and training programs to those placed in them.

The fight against juvenile delinquency is not limited to one aspect. Rather, it begins with the family, and includes the schools, society as a whole, and the state institutions with which youths can come into contact. I have one last observation about the problem of several infractions by juveniles. I have observed that many examining magistrates confine youths for minor infractions and misdemeanors. This confinement has a great psychological impact on the youth and impels him toward delinquency. It also contradicts Article 52 of the Law on Juvenile Welfare. Also, decisions issued by non-judicial agencies to confine juveniles for very minor infractions, such as breaking the fast [of Ramadan] in public and carrying harmful weapons, negatively affect the psyche of a youth and might push him toward delinquency. Therefore, I call for noting the problem of detention of youth, which should be restricted to the narrowest scope.

Dr. 'Abd-al-Sitar al-Kabisi, the director general of the Ministry of Justice joins us in discussing the method for keeping juveniles from falling into crime and delinquency, and the role of the family and pertinent institutions regarding this matter. He states:

Different studies on juvenile delinquency, or the vulnerability of juveniles to delinquency, and the ways to treat this phenomenon have focussed on the need to prepare a complete study of the personal circumstances of youths at risk, that takes into account a given youth's family, environment, school, and vocation, in an effort to demonstrate the motives for his deviant behavior. Then, it will be possible to prescribe remedial treatment that guarantees the return of the delinquent youth to law-abiding society, and different interventions to save him from falling into the abyss of deviance. Such studies should not stop here, but should also be concerned with on-going correction following the corrective and rehabilitative treatment of the juvenile delinquent, because the juvenile could be at risk during his recovery period. This has been termed follow-up treatment of the juvenile. The conclusions of the studies conducted to date have been incorporated in legislation pertaining to juveniles. The judiciary, on the basis of this legislation, intervenes to supervise in cases of vagrancy, begging, association with bad companions, and running away from a parent or a guardian, based on the judgement of a court or school. In this way, the juvenile laws establish measures pertaining to the protection of juveniles from risks that foreshadow delinquency.

This stage of youth is worthy of concern, because of the possibilities of early detection that it offers. Therefore, the call here is directed to public and professional organizations and school administrations to review their progress regarding psychological and social treatment aimed at protecting youths from delinquency. Also, light must be shed on the role of the Health Ministry regarding what it has earnestly provided in this field through school health organizations, so that we can learn about its data on early detection of delinquency and the prevention of delinquency through scientific treatment. Through these two measures, it is possible to judge the advantages of these means for creating a safety belt for our youths, and to strive toward alternative means. Legislation has established, for the purpose of returning youths to a safe society, the adoption of remedial measures to cope with their delinquency to achieve rehabilitation. Here, the role of a specialized judiciary is prominent in prescribing effective rehabilitation that is compatible with a given youth, after taking into account testing conducted on the youth by a special testing organization and an examination of the youth's psychological, biological, and social state. Therefore, the call here is for entrusting the administration of juvenile justice to judges who possess specialized education and knowledge of youth issues, and who have the ability to diagnose the causes and motives of delinquency in order to determine the appropriate nature and time period of a corrective measure. In this way, we can enable the

rehabilitative institutions to fulfil their corrective role through: medical, psychological, and cognitive treatment means that guarantee the recovery of satisfactory habits, [the loss of which] led to delinquency; educational and vocational guidance and supervision of delinquent youths during their stay in rehabilitative or educational institutions; and the guidance of delinquent youths toward developing a moral and religious consciousness through audio-visual and printed media in every institution or reform school.

The laws on juveniles stipulate methods for follow-up treatment that ensure a juvenile's assimilation into society and prevent his return to delinquency and deviance. The relevant agencies are responsible for treatment activities just prior to when the youth leaves the reform institution. These activities begin with the youth's release in special places to make him feel a sense of independence and openness in preparation for his re-entry into society. They include helping him to ensure that his new life is far from possibilities of renewed delinquency, so that we can vouchsafe ways for him to join society and enable him to restore both his own and others' trust in him after his release. Our law enjoins the follow-up supervision of juveniles, which is handled by a specialized department connected to the juvenile reform department. Follow-up supervision requires contact with the juvenile before his release from the reform school. Its purpose is to cope with the requirements of the juvenile's future life, help him make the correct decisions and find work that is suited to his qualifications, and to provide him with the necessary, phased financial aid.

We are still accompanied by the call of concerned agencies to review how many youths have received follow-up supervision. What are the numerical results based on which we say that our own children were thrown into delinquency and deviance behind their backs?

The director of the Juvenile Welfare Police, Lieutenant Colonel Mazlum 'Atiyah Hamd responds to that, saying:

Crime has been a tenacious social phenomenon of human existence since early times. The noble Koran tells us that the first crime was the killing of Abel by his brother Cain. This means that crime has existed for a long time. We know that the origin of crime is the victory of man's evil element over his good element, which confirms that crime arose with the creation of man and is a dangerous social phenomenon that is as old as man.

Crime rates in a specific place indicate the strength or weakness of social pressure in that place. To limit the growth of crime in society, it is very necessary to be concerned with the juvenile group educationally and psychologically, so as to steer it away from deviant behavior and violations of the law. Some juvenile delinquents can be reformed through psychological and educational methods. Time suffices for those who cannot be reformed. An increase in the percentage of juvenile delinquents has recently been noted, inasmuch as the level of their delinquency has begun to grow in its various forms. Attention must be given to the outcomes of this dangerous phenomenon.

Through our work with youths, we have noted that the level of delinquency among youths has begun to grow, especially vagrancy among youths. This is a very dangerous phenomenon that has negative results. The vagrant youth does not hesitate to perpetrate any deviant behavior to obtain money in addition to crimes, such as murder, theft, traffic crimes, and other crimes.

The main causes of juvenile delinquency relate to the role of the family: the break-up of the family due to divorce, the loss of a parent, or polygamy; the family's standard of living; the weakness of the family's supervision over its juvenile members; the lack of monitoring of youths; the lack of constant contact with the school; and the weakness of the role of public organizations in cooperating with families to make them aware of methods for interacting with their children, especially the Federation of Women and Youth.

Another important point concerns the role of the ordinary citizen, specifically his non-cooperation, if not encouragement, of abnormal incidents involving youths by failing to report them. Also, some parents contribute to their children's vagrancy by having them sell cigarettes at night and other activities that push juveniles toward many forms of deviant behavior. By requesting their children to provide money for the family, parents encourage their children to commit different crimes to obtain money. In addition, by putting their children to work at an early age with persons other than their relatives, parents expose their children to different types of deviant behavior. Also, some films play a primary role in encouraging youths to engage in crime, especially since youths are excellent imitators of what they see.

Therefore, the family must play a primary, conspicuous role in protecting youths and preventing them from becoming delinquent and falling into crime. In our capacity as a specialized juvenile welfare agency, we recommend increasing the severity of punishment of legal guardians, as a law, so that a child's legal guardian will be deterred from pushing the child into vagrancy, and will be subject to criminal charges for putting the child out on public streets, alleys, and transportation garages at night to sell cigarettes or water, or shine shoes. Such a father is happy when his son gives him a sum of money, but is oblivious to his moral deficiencies regarding his son. We call on public organizations and the Federation of Youth and Women to enhance public awareness regarding interacting with juveniles and preventing them from engaging in deviant behaviors.

### Experts Discuss Infrastructural Development

90AE0182B Baghdad AL-JUMHURIYAH in Arabic  
24 Jun 90 p 5

[Article by Salah al-'Abd]

[Text] Nations take pride in their cultural progress. Moreover, they employ all of their scientific and technical abilities and efforts to be able to achieve the highest state of civilization and thereby become an object of other nations' admiration.



Naturally, road and bridge construction are elements of this progress, because they save time and reduce traffic congestion stemming from densely populated cities and the growing needs of modern life.

In laying the foundation for this progress, our combative country has witnessed, since the bursting forth of the glorious 17-30 July Revolution, the implementation of numerous comprehensive development plans aimed at achieving rapid qualitative growth in different areas of life, toward creating a new, advanced, cultural reality.

In the scope of this continuous developmental march and the development campaigns being undertaken in the cities of Iraq, an urgent, growing need has arisen to build numerous roads and different types of bridges to supply the country with all of the formative elements of life and to reduce the gap between our society and other advanced societies.

The construction of this extensive network of roads and bridges is currently being handled by the Ministry of Housing and Construction through its technical bureaus and facilities, which are active in all parts of the country. This effort relies on national efforts and Iraqi scientific and technical abilities to the exclusion of foreign efforts, which held Iraq prisoner in the years preceding the revolution.

To become familiar with the ministry's present and future activities in this area, AL-JUMHURIYAH undertook a tour during which it met with a number of employees of a company subordinate to the ministry, which, along with its counterpart companies, is responsible for implementing road and bridge projects in numerous governorates of the country.

#### Road and Bridge Projects

Engineer Mustafa 'Abd-al-Rahman, the head of the company, told us the following:

Our company was established on 1 February 1988, with 20 million dinars in capital, as one of the contracting companies in the Ministry of Housing and Construction, with the task of implementing road and bridge projects in all parts of the country.

Since then, the company has completed projects costing 74 million dinars. The value of other road and bridge projects under construction exceeds 95 million dinars.

In addition, the company has a large role in implementing the National Will Project for Rapid Transit in cooperation with the al-Rashid Contracts Company. This project involves connecting the governorate of al-Qadisiyah and al-Muthanna with a 40-km road, and building five overpass bridges and a number of tubular and box [sunduqiyah] arches [qanatir] of different diameters and specifications.

[AL-JUMHURIYAH] What about other projects?

[Abd-al-Rahman] Our company is responsible for implementing numerous other projects in many governorate throughout the country, including a project to connect the al-Ramadi road with the Samarra'-al-Fallujah road by building a 57-km road, which is 49-percent complete; a project to improve the 120-km al-Rutbah-'Akashat road; the construction of the second lane of the 80-km Kirkuk-Sulaymaniyah road at a cost of 674,000 dinars, which includes earth works, enrockment, the laying of two layers of concrete asphalt pavement, the construction of box and tubular arches, and the construction of the Tinal Bridge and Shaywah Sur Bridge. The company is also in the process of implementing the new 258-km al-Rashidiyah road project, which is 56-percent complete, and numerous other road projects throughout Iraq, in flat and mountainous areas, in the water, and on land.

Regarding bridges, the company has expertise in building bridges, and it relies solely on national abilities and expertise. Since being established, the company has completed over 20 bridges of different types and dimensions in all of the governorate.

These bridges, which differ regarding type and construction circumstances, include concrete and iron bridges.

#### Advanced Technical Skills

[Abd-al-Rahman] We have proven to the entire world that we have advanced technical abilities and skills that enable us to achieve the impossible. In past years, the task of building bridges was always entrusted to foreign companies, which had a virtual monopoly on bridge construction. However, now, because of the continual attention of the leadership of the party and the revolution, headed by Iraq's first engineer, President Commander Saddam Husayn, may God preserve him, to our sector, the housing and construction sector, we have become able to duplicate all foreign skills, regardless of how developed they are, with first-rate adequacy, through which we can implement different building projects.

Regarding the maintenance and perpetuation of roads and bridges, our engineering and technical base ably handles maintenance works, including the maintenance of existing bridges without recourse to the foreign parties that built them. Thus, our company, in cooperation with the other companies in the housing and construction sector, has maintained numerous bridges in Baghdad and the governorate. In Baghdad, the maintenance teams subordinate to us carried out maintenance works on the 17 July Bridge, the Ahrar [Free-born] Bridge, the al-Shuhada' [Martyrs] Bridge, the 14 Ramadan Bridge, the Canal Bridge, and other pedestrian bridges. They also performed maintenance on a number of roads, including



the Baghdad-Ninawa Intersection, which they stripped and repaved, and they repaired guardrails on rapid transit roads in Baghdad and the governorate.

#### **The Company's Activities in the Governorate**

We next toured the governorates of al-Najaf and al-Qadisiyah to see the most important projects the company is implementing in them.

In the Governorate of al-Najaf, we met with Engineer 'Abd-al-Rida Sa'd, the manager of the Hammurabi [Company's] projects in that governorate. He spoke to us about the company's most important past and current road and bridge projects in al-Najaf:

Our company's branch in the Governorate of al-Najaf is working hard to implement numerous road and bridge projects inside and outside the governorate. These projects include the construction of the Ghammas Junction on the al-Najaf-al-Qadisiyah road, which entailed removal of the old paving, the laying of a 30-cm thick sub-base layer, pavement margin molding work, and the laying of a 10-cm tar layer. This project, which is in the process of being implemented, cost 242,000 dinars. It will be completed, God willing, shortly.

Our other projects in the governorate include paving the 4.8-km road connecting the al-Kufa and al-'Abbasiyah dams, which involves earth works to widen the road, and the laying of a 10-cm thick concrete asphalt sub-base layer. Eleven percent of the project, which costs 210,000 dinars, has been completed. The company has also been entrusted with a project to maintain and improve the 20-km long al-Kufah-Kifl road at a cost of 530,000 dinars. The company has yet to begin this project.

These projects are all being implemented by advanced, national, technical elements without reliance on any foreign expertise. We are moving toward concluding numerous contracts for many other projects, no matter how huge, because we have first-rate ability and great confidence in our ability to carry out and complete such projects.

#### **Competitive Iraqi Skills**

We then went to a project site in the Governorate of al-Qadisiyah, where Engineer Hadi Musa Jawwad told us about the project he is working on. He stated:

The project on which we are currently working is the al-Qadisiyah-Shinafiyah road elevation project, whose length is 5.5 km. Among the tasks entrusted to us in this project are removing the old pavement, adding a layer of dirt to raise the design layer, laying the sub-base layer, and laying three layers, including a 10-cm thick tar base, a 4-cm thick surface layer, and a 26-cm thick connecting layer. The cost of this project is 730,000 dinars, and 81 percent of it has been completed.

This project is the most recent of the preventive maintenance projects, which are intended to ward off floods and prevent water from reaching the al-Shinafiyah area

in the event of a flood. Advanced, competitive, Iraqi skills are being employed to implement this project.

#### **Modest Implementation Cost**

Also in the Governorate of al-Qadisiyah, a company subordinate to the Ministry of Housing and Construction, the Hammurabi Company, is implementing a large project involving the construction of the al-Khasf Bridge over the al-Khasf River, an important tributary of the Euphrates River.

Regarding this project, we spoke with Engineer Andrawis Balhad al-Sa'udi, the project manager, and Engineer Salim Sa'id Najm, the deputy project manager:

This bridge, which connects the new al-Samawah-al-Najaf road with the subdistrict of al-Shinafiyah, is an alternative to the old bridge built by foreign companies before the glorious 17-30 July Revolution. It serves primarily the roads of the southwest al-Badiyah [desert].

With a length of 156 meters and a width of 12 meters, the bridge has two lanes and six spans [fada'at], each containing three piles, for a total 18, each pile having a diameter of 1.2 [meters].

The bridge's total cost, 890,000 dinars, is considered very moderate compared to what foreign companies are paid for building a bridge of this size and specifications, especially since foreign companies are paid in hard currency.

This project is 25-percent completed. Work is proceeding with exceptional efforts to expedite the implementation of this large, important project. I neglected to say that this bridge is considered the longest bridge built by our company in the country to date.

In the Governorate of al-Qadisiyah, the company is currently implementing, jointly with the al-Rashid Contracts Company, a rapid transit road (The Great al-Nasr [Victory] Passage) which connects the Governorate of al-Qadisiyah to the Governorate of al-Muthanna. With a length of 40 km, it will include five overpass bridges and a number of box and tubular arches of various diameters.

#### **We Have Standing**

In conclusion, we must say that the time for depending on foreign expertise in Iraq has ended. A new time has come, the time of Saddam Husayn, who has restored to Iraq its beautiful bright countenance, and has proved that Iraq has outstanding capabilities that must be exploited and employed in the service of this dear fatherland.

The housing and construction achievements that we have discussed represent a part of the growth of our national facilities and the active role they play in the construction and development march on which our combative country is embarking. A thousand salutes to

these efforts. We hold out great hope that these facilities will achieve more extensive qualitative jumps on the road to progress and florescence.

## ISRAEL

### Declining Israeli Popularity in U.S. Examined

90AE0174A Tel Aviv MA'ARIV in Hebrew  
11 Jul 90 p 10

[Commentary by Yosef Harif]

[Text] According to a survey conducted by the NEW YORK TIMES and the American CBS television network, U.S. public support for Israel has declined, and sympathy for the Palestinians is growing: 47 percent of those polled favor a Palestinian state in the territories, compared to 40 percent who supported such a state two years ago.

Many perhaps treat with skepticism the findings of the survey, which was conducted by telephone among 1,084 persons throughout the United States. However, it seems that it is appropriate to relate to the findings seriously, inasmuch as unshakable support for Israel was always above the 50-percent mark, even during periods of decline, such as during the Lebanon War, despite the daily attacks against Israel in the American media.

What has caused this serious erosion? Is it the reporting that sometimes accompanies the depressing pictures of what has been done in the territories in the two years of the intifadah? This is certain, but it is not the main issue. The crux of the gradual but systematic change lies in the attitude of the administration, which is making almost daily efforts to feed the media with unbalanced appraisals that describe Israel as an "obstacle to peace," and the Palestinians as aspiring to reach a peaceful settlement. The growing impression is that justice and the calming of the entire Middle East can only be achieved if the Palestinians are given their own state (as if the Iraq-Iran War, Syria's invasion of Lebanon, the Egypt-Yemen War in the more distant past, or Libya's invasion of Chad were all connected to the Palestinian problem). Under these circumstances, when the American administration is also harnessed to an effort to improve the PLO's image by constricting Israel's steps, it should come as no surprise that matters are beginning to be reflected in public opinion surveys.

There is no knowing who came up with the idea of conducting this survey at present. However, we would not be surprised if other media elements attempt to conduct similar surveys, and the Bush-Baker administration sees its efforts meet with success, as the pro-Palestinian line begins to yield the hoped for results.

Reports coming from Washington speak of President Bush's desire to receive "clarifications" from Prime Minister Yitzhaq Shamir regarding the details of his response note to him. If someone is obliged to provide

clarifications regarding the subjects dealt with in these notes, it is precisely the American administration. The Chairman of the Conference of Presidents of Jewish Organizations in the United States, Seymore Reich, stated to Foreign Minister David Levi that he, Reich, sees a good chance that the United States will grant Israel's request and anchor, in writing, the declared positions of the United States to the effect that it neither supports a Palestinian state, nor intends to force Israel to accept the PLO's participation in negotiations. It will be interesting to see if the administration will indeed actualize this "good chance." Judging from past experience, Mr. Reich is overly optimistic.

With the start of the tenure of David Levi, whom James Baker believes is a "problem solver," there is no longer any reason to evade a true clarification of the Palestinian matter. The fact that "public opinion surveys" are beginning, coincidentally or otherwise, to respond to directions in the thinking of the Bush-Baker administration requires a series of mutual clarifications before it will be possible to move forward in the peace process. It is possible to go even further and say that the problem of the "deportees," and the inclusion of a representative of the Arabs of East Jerusalem in a Palestinian delegation, would no longer constitute an obstacle, if Washington agrees to clarify its true intentions.

Washington must, for example, clarify, precisely and without any obfuscation, what it means when it says that the Palestinians must be granted "full political rights." If the administration does not mean by this a Palestinian state, why does it not clearly say so. If the United States has not abandoned the traditional position that has guided it for years, namely that the Palestinian problem must be solved within the framework of Jordan, why does the United States not clarify this again. Can the United States, after close to two years of dialogue with the PLO, have the impression that the Palestinians will be satisfied with integration with Jordan? If not, what must the United States say to Israel?

Aba Eban once neatly defined the problem as follows: It is impossible to separate between the Palestinian totality and the Jordanian totality. Even if the two are not absolutely equal, presenting them as completely separate denies geography, history, cultural facts, and the basic nationalities of the area, because there has never been a Kingdom of Jordan that has not been made up for the most part by citizens of Palestine. Citizens of Palestine always were and are a majority in the Kingdom of Jordan. This means that the problem is not Palestine, but the border.

Is this principle acceptable to the United States? So far, we have heard that the administration insists on the principle of "territories in exchange for peace." Does it mean all of the territories. If so, to whom should they be handed over? To Jordan, or to the PLO?

It has not at all been clear whether members of the American administration are to be counted among the

"47 percent" of Americans who favor a Palestinian state. In light of the above-mentioned survey, this is perhaps the primary question that the American administration is obliged to clarify before it demands clarifications from Israel.

### **Armor, Infantry Integrative Training Stressed**

90AE0174C Tel Aviv BAMAHAANE  
in Hebrew 20 Jun 90 p 12

[Article by Yo'av Kaspi]

[Text] A new lesson in armored combat technique and capabilities is being added as of now to the training course of company commanders and deputy company commanders in Infantry Corps brigades. Every company commander or deputy company commander will undergo, in the course of his service, a three week course on the subject.

"Cooperation between the Infantry Corps and the Armored Corps in battle is a central subject," states the Chief Armored Officer, Brigadier General Yitzhaq Rabin. "Cooperation between engineering and artillery, for example, is primarily technical. However, infantry and armor storm objectives jointly. The new course is intended to improve the two corps' familiarity with each other and to create a common language that will improve operations."

The special course will be in addition to the multi-corps field training series that cadets of the four land corps undergo in the officers course. In this series, the foundations of integrated land combat are acquired.

"The basic information exists, but its application produces problems," states Brig. Gen. Rabin. "Actually, a division is made. There is a sector for infantry and a sector for armor, or one covers the other. Joint operations and the escort of marches to the target are not closely integrated, because a minority of the officers have not undergone the multi-corps field training series, and the majority have simply not been trained adequately."

The new course is intended to prepare the forces for a future war. The decision to provide this training to company and deputy company commanders is based on the assumption that the company commander activates the integrated force and commands it in the field.

"It is important to remember," states Brig. Gen. Rabin, "that at senior command levels, cooperation is structural. For example, there is no course for Infantry Corps or Armored Corps battalion commanders. However, all of them take the same course in integrated systems theory."

The uniqueness of the new course is that, for the first time, we will teach the tank from the viewpoint of the armorist. Actually, the company commanders and the

deputy company commanders will be taking the armorist course from the level of the individual to the level of the platoon.

"This will instill an intimate familiarity with the tank as a complete system, not solely an auxiliary tool," states an armorist officer. "Subjects studied in the course include tank systems and their method of operation, the conditions in which the tank can advance, and the tank's firing capabilities during the day and at night."

"The course does not intend to change Infantry Corps personnel into Armored Corps personnel. The goal is to better understand the tank's capabilities and limitations in order to more correctly integrate tanks when they cooperate with infantry.

"You cannot really know how to best employ the tank until you have actually been inside it," claims the armorist officer. "Following the course, Infantry Corps personnel will know when to introduce the tank into action, how much space it needs to maintain a position without becoming exposed, and the types and effective ranges of ammunition in a tank."

There is currently no intention to hold a parallel course dealing with infantry matters for Armored Corps companies.

Brig. Gen. Rabin: "In the officers' course, Armored Corps cadets perform a series of infantry exercises up to the level of the platoon, and they become familiar with the means at the disposal of the Infantry Corps and its combat doctrine. The knowledge acquired in this area currently suffices.

The first course is now coming to an end. "This fact that personnel of the Infantry Corps are pulled from their brigades to attend the Armored Corps School proves that matters are taken seriously. In the Armored Corps School, they can learn about armor from professional instructors of the corps, and they become familiar with the language and concepts of armor. Ultimately, they employ tanks better in the battle field."

### **Programs for Encouraging Employment Discussed**

90AE0208B Tel Aviv THE JERUSALEM POST  
in English 13 Jul 90 p 14

[Government economists are trying not to repeat the mistakes of the past as they seek to create jobs for newcomers, reports Ziv Hellman]

[Text] The Government is looking into new ways of encouraging the creation of employment, in the wake of the massive aliya, which will avoid some of the problems that government subsidy programmes ran into in the Seventies and Eighties.

Some companies are still expecting the government to help them employ new immigrants, as it did in the past. The Abic pharmaceutical corporation recently announced that it could provide many jobs for Soviet

immigrants—if the government provided monetary “assistance.” Moshe Terry, director of the Industry and Trade Ministry’s Investment Centre, has contacted dozens of companies in the last week with offers of investment subsidies. Most firms are expecting the state to continue its direct-subsidy programmes.

Government economists estimate that adding 100,000 jobs to the economy through direct subsidies would cost the Treasury \$2 billion-\$3 billion.

But Amos Rubin, economic adviser to the prime minister, is critical of these traditional government attempts to stimulate the private employment sector. Direct corporate start-up subsidies and low-interest government loans, which he terms “cheap money,” have in many cases propped up companies that had little economic viability to begin with, and which subsequently and went under very quickly.

Subsidizing employee wages, another traditional government method of “creating” jobs, encourages employers to disregard full labour costs in their planning, and leads to industries that are perpetually dependent on hand-outs, “like manna from heaven,” Rubin says.

“The subsidies approach is the exact opposite of what we need. It puts all the stress on capital and machinery. Filling this country with factories run by robots won’t help the new immigrants, and we can’t afford it. We are a country with little in the way of capital, and much human wealth. We should be importing capital from abroad and marketing our human resources.”

Rubin would like to see more effort placed on selling Israeli “brain power” to Europe and the United States. “We must make a serious effort to advertise our highly educated population, use it to spur innovations, and then sell those advances at high premiums,” he continues. “New ideas fetch high prices internationally.”

One resource Israel could make better use of, according to Rubin, is the high number of Israelis now working for large companies in the United States. “They know what’s happening in their respective fields, and they’re familiar with Israel. They could convince their employers to let them come back to Israel and open up offshore R&D labs here.”

A number of American companies have profitably “followed” their returning Israeli employees, most notably Intel, the semiconductor producer.

Recently, there has been some attention paid in senior government circles to a plan that claims to eliminate the problems that direct corporate subsidies have encountered. According to the plan, the government, through a financial company it owns, would guarantee loans to entrepreneurs, at a rate of NIS 2 for every shekel the investors put up themselves. An annual 5 percent premium would be charged for participation in the plan.

Supporters of this approach stress the high risk involved in the initial stages of high-tech projects. It is this risk

factor—plus the fact that the immigrants are in new and unfamiliar surroundings, and the political situation has created a general image of “instability”—that deters potential foreign investors. A government move to share the risk could help overcome their reluctance to invest.

Backers of the plan are quick to point out that it would decentralize the process of deciding which projects should receive state backing. The initial calculations of economic feasibility would be done by the investors and the people extending them loans. This would not only cut down on the number of bureaucratic delays, it would also focus the considerations behind the grants on basic questions of potential profit. It would also provide some protection from political interests which might skew decisions in favour of pet projects that would add little to the economy.

Companies that receive these funds and then go bankrupt would have their assets sold, with the guarantor receiving first priority on claims, before the stockholders. This would prevent the possibility of investors profiting from a losing venture while the government subsidizes the losses. The corporations would have to take all risks and costs into account.

Adopting the plan would be relatively cheap. While the government would be guaranteeing billions of dollars in loans, it would not have to come up with money, as the capital would be coming from foreign loans. A certain fraction of the loans is expected to default, and only enough funds to cover that fraction would have to be budgeted.

The plan would certainly make Israel unique. No similar large-scale venture has ever been tried by a government, and no one is sure what effect it would have. The primary concern of government economists is that it could encourage inexperienced investors to rush in and take large loans, only to find themselves short on cash after a couple of years. The proposal addresses this issue by limiting participation to those putting up more than \$200,000 of their own money, or “companies with proven business experience,” although no clear criteria are mentioned. The 5 percent premium is to deter those who expect a low return on investment, and those with such deep pockets that they can survive without government aid. It also provides towards the fund that put up the money on defaulted loans.

What do people making daily decisions “out in the field” think about the government’s role in absorbing new immigrants into the private sector?

Itay Dinerman, personnel manager at National Semiconductor’s Migdal Ha’emeq plant, insists that the government should concentrate its efforts on teaching Hebrew and retraining efforts, and let basic business and investment decisions be made by businessmen.

“After hiring a number of Russian ‘olim we discovered that as a group they are well-disciplined workers,” he said. “They were used to very low wages in the USSR,

and they regard the fringe benefits and bonuses Israelis take for granted as extra blessings. They'll do well in the job market."

### **'Islamic Movement in Israel' Examined**

90AE0208A Tel Aviv NEW OUTLOOK  
in English May/Jun 90 pp 33-35

[Article by Michal Sela, a journalist specializing in Middle East affairs and the Israeli-Palestinian conflict]

[Text] The Islamic Movement in Israel recently announced its intention to run in the next Knesset elections. This announcement, a year after the Movement's successful debut in Israel's municipal elections, expresses a growing self-confidence on the part of the Movement's leadership.

Israel's Islamic Movement began its activities in the early 1970s. With the waning of Nasserist enthusiasm after the Arab defeat in the Six-Day War of 1967 and the opening of the borders between Israel and the West Bank and Gaza Strip, Israeli Arabs re-established contact with their brothers in the territories. They regained full access to the Muslim holy places and began taking part in the religious life administered by the Higher Muslim Council in East Jerusalem. For Israeli Arabs the Council became a major spiritual authority on all Islamic matters. It played a role in obtaining the consent of Jordan and Saudi Arabia for Israeli Muslims to make the annual pilgrimage to Mecca (which they have done since 1978).

These developments strengthened Islam in the collective consciousness of Israeli Muslims. Gradually, a movement of Islamic revival emerged. Many high-school graduates enrolled in the Islamic colleges in Jerusalem, Nabulus, Hebron and Gaza. Shaykh 'Aballah Nimr Darwish, 42, the undisputed leader of the Israeli Islamic Movement acquired his religious degree in a Nabulus college.

While the widespread return to religion in the Muslim world, together with the 1979 Iranian revolution, inspired the local religious revival, changing it from a cultural to a political movement, it is a home-grown movement as well. Frustrated Israeli Muslims sought the strength to confront Israel by returning to their Islamic identity, something which distinguishes them from Israeli Jews.

The mixture of cultural, political and nationalist elements inspired the first, and until now the only, revolutionary Islamic organization: Usrah al-Jihad, the Family of the Holy War, founded in 1980. Usrah al-Jihad advocated sabotage and violence, according to one of its founding members, Shaykh Darwish. It was uncovered by the police in 1981 before doing much damage, and Shaykh Darwish and 56 others were imprisoned.

"Prison was my third birth, after my biological birth and my return to religion," says Darwish. "There I thought about all the aspects of our ideas and came to the

conclusion that we should strive to implement Islamic law without violating Israeli law." Upon their release in 1984 the organizers re-evaluated the situation. They planned their future steps carefully, starting with local community activity which would not attract the attention of the police. They organized loosely connected Islamic Associations, whose stated purpose was to work for peaceful change in Muslim society in Israel. "With our community work and personal touch we offered people in every village and town an alternative to all their previous disappointment," says Darwish.

Deepening the religious roots in society meant study, teaching, and persuasion. The Movement also undertook a campaign of social welfare projects based on voluntary contributions of time, money and labor. It opened kindergartens and health clinics, built mosques, paved new roads, renovated schools, and organized work camps. Members visited the sick and elderly in their homes. When they felt stronger they went a step further and entered the school parents committees as a political group, thereby influencing the secular government schools. The 85 percent participation of Israeli Arabs in last year's municipal elections was attributed to the fact that Islamic lists were running for the first time in 15 localities. They won the mayorship in five towns and captured 50 seats in other municipal councils.

### **The Fundamentalists in the Occupied Territories**

The history of the Islamic fundamentalist movements in the West Bank and Gaza Strip runs along similar lines. There, too, the Iranian revolution fanned an already existing Islamic revival. The frustration caused by the Jewish occupation also pushed the population to seek refuge in the arms of Islam. Two major fundamentalist movements exist in the occupied territories: the Islamic Resistance Movement, Hamas, the military arm of the long-established Muslim Brotherhood; and al-Jihad al-Islami, the Islamic Jihad (Holy War), a radical militant splinter group of the same movement. Both organizations combine religious fanaticism with militant nationalistic attitudes.

In the 1970s the activity of the Muslim Brotherhood, backed by its counterparts in Egypt and Jordan, was particularly evident. The Brotherhood established the Islamic University in Gaza in 1978, with the aid of Saudi Arabia and Jordan. The university's administration tried to stick to a moderate religious track; the students were the extremist factor. They organized demonstrations in the university before the intifadah erupted, and apparently took an active part in organizing the street clashes once the uprising began.

The Muslim Brotherhood operated through local charity and welfare associations similar to those in Israel. The strongest association has been "al-Mujamma' al-Islami," led by Shaykh Ahmad Yasin, a teacher by profession who earned his "Shaykh" title by virtue of his charisma. For many years the military government encouraged "al-Mujamma'" and other associations, knowing that

they engaged in political activity under the umbrella of establishing kindergartens, youth clubs and preaching a return to religion. The military government believed that their activity would undermine the power of the PLO and the leftist Palestinian organizations. Unlike other organizations, they were allowed to bring in money from abroad, and some activists reportedly received arms for their protection.

The creature began to turn on its creator in the early 1980s. Fundamentalists, mainly in the Gaza Strip, began to violently force religion on the public. A series of clashes ensued between fundamentalists and leftist activists. In 1983 an arms cache was found in the cellar of Shaykh Yasin's mosque. He was sentenced to 31 years in prison, but was released in the May 1985 Israeli-Palestinian prisoner exchange. Since then religious-national radicalization has rapidly expanded.

During the two years prior to the intifadah, the Islamic Jihad was the principal trouble maker. Its people killed four Israeli civilians and an IDF [Israel Defense Forces] officer, made attempts on the lives of several Palestinian collaborators and perpetrated other attacks as well. While the Islamic Jihad was the organization that caused the mass upheaval in Gaza, as soon as the intifadah erupted in December 1987 al-Mujamma' people understood that unless they joined the battle they were doomed to perish on the Palestinian political map. As early as January 1988 they founded Hamas, and seven months later published its covenant. Until the mass arrests of the movement's leadership in May 1989 (including Shaykh Yasin), Hamas was a major factor in Palestinian political life in the territories and a serious concern to the PLO, whose unshaken status in the territories was suddenly called into question.

#### Contact Between Sister Movements

During the two and a half years of the intifadah, relations between the Islamic Movement in Israel and Hamas in the occupied territories strengthened. Despite Shaykh Darwish's denial, they apparently act as complementary factions of the Muslim Brotherhood. The Israeli movement, acting in a more liberal environment, helps finance the activities of Hamas. Many of the books, leaflets and posters discovered in Qalqiliyah, Tulkarm and Gaza, were printed in Umm-al-Fahm, Kafr Qasim and other Arab towns in Israel. The newsletters of Israel's Islamic Movement "al-Sirat" and SAWT AL-HAQQ, are distributed in the occupied territories. Leaders of both movements occasionally visit each other, and religious preachers from the occupied territories reportedly come to Israeli villages to lead Friday prayers. The Israeli movement collects donations and food supplies which are then distributed by Hamas activists among needy families in the territories.

The declared goal of the fundamentalists in the occupied territories is the establishment of an Islamic Palestinian state. This claim is based on the declaration by Caliph 'Umar ibn-al-Khattab, the conqueror of Jerusalem, that

this land is a religious endowment. In this ideal state, Jews would be accepted as a small religious minority, according to the Koran, which gives Jews and Christians a special status compared to other religions.

"You won't hear me speaking about an Islamic state," insists Shaykh Darwish, diplomatically avoiding a direct answer to a question about his ideas on the issue. "Yasin and I agree on religious principles; however, I accept the two-state solution. The Palestinians, in their independent state, will decide which regime they prefer." After a longer discussion of the subject Darwish reveals a bit more of his inner outlook: "There are dreams about Greater Palestine. I won't burn dreams. But dreams are not a basis for political agreements. Until 80 percent of the Israeli army is comprised of Muslims, there is no point in thinking about an Islamic state."

#### A Party That Cannot Be Ignored

The Islamic fundamentalists are radical in their views and goals, but at the same time they understand that if they do not join the political process and accept democratic principles, they might be left out of the game. Thus even Hamas has expressed its willingness to participate in political negotiations and elections in the occupied territories if they ever take place.

"I am experienced in the politics of the Arab sector," says Darwish, intimating that it is a community split by deep rivalries and various political trends, between Muslims and Christians, religious and secular. That is why, at least the first time around, he proposes that the Islamic Movement join a coalition of Arab parties rather than run in a separate list in the state elections. Such a coalition with already existing parties might also protect him against an effort to prohibit his participation in the elections on grounds similar to those which disqualified Me'ir Kahane. Darwish is confident that with the creation of what he calls an "Arab peace camp" the Israeli Arabs will be represented in the next Knesset at a rate more in keeping with the 17 percent of the Israeli population they comprise.

This willingness to join the democratic political race has become a source of anxiety to the other Arab and Palestinian parties on both sides of the Green Line. They admit that during the last two years the Islamic movements have altered the balance of power. In Israel, the fundamentalists have become a threat to the Communist Party, which for decades was the leading political party among the Arabs—not so much because of its ideology, but because it was the only non-Zionist choice on election day.

The Progressive List for Peace and the Arab Democratic Party represent a nationalist Palestinian line; however, despite the high prestige which the PLO enjoys among Israeli Arabs, these two parties succeeded in winning only one seat each in the present Knesset. With the shadow of the next elections in sight, Muhammad Mi'ari (Progressive List) and 'Abd-al-Walhab Darawishah (Arab Democratic) have already said that they would

consider the creation of one Arab bloc with the Muslims. These early negotiations with the Islamic Movement indicate their fear that only such a coalition might guarantee their inclusion in the next Knesset.

In its efforts to stop the growing attraction of fundamentalism Israel has a common cause with the PLO. A serious and persistent effort by the government to address the real needs of Israel's Arab sector, first and foremost by treating them as equal citizens, might not eliminate fundamentalism, but there is a chance that the Islamic movement could be contained in reasonable and safe boundaries.

A similar attitude should be adopted by Israel in the occupied territories. In a society where youths have nowhere to spend their leisure time except the mosque; where children use the word "Jew" as synonym for soldier, Islam is a safe refuge. The only way to prove that there is an alternative to religious fundamentalism is by helping the PLO keep its prestige among the Palestinians. With all its drawbacks, many Western states have recognized the organization as the address for a negotiated Israeli-Palestinian settlement. It is up to the Israeli Government to come to the same recognition. As Eli Rekhes, a research associate at Tel-Aviv University's Dayan Center noted in one of his articles: It is not only Islam that provides self-contained comprehensive answers to earthly problems; contemporary and sovereign governments can also offer such solutions.

## SAUDI ARABIA

### Solar Energy To Be Used in Trial Irrigation Project

90AE0101A Jeddah ARAB NEWS  
in English 22 May 90 p 3

[Article: "Solar Energy Use for Irrigation Likely"]

[Text] Jeddah, May 21—Saudi Arabia will use solar energy for irrigation purposes on an experimental basis as of next year, according to Yasin al-Sa'idi, director of the project. The solar village in the Central Province will conduct the experiment at a model vegetable farm in the beginning of the year, he told AL-MADINAH Arabic daily. The experiment comes within the framework of a Saudi-German joint project of producing hydrogen by solar energy, he said.

Under this project, which is said to be the first of its kind in the world, scientists from the village, three Saudi universities and a number of West German government establishments will use solar electric power generators to produce hydrogen by splitting water into hydrogen and oxygen. The researchers will also conduct experiments on the commercial applications of energy produced in this way for purposes like running engines and producing electricity, he concluded.

## INDIA

### Correspondent on V.P. Singh's Planned UN Visit

90AS0317A Madras *THE HINDU* in English  
4 Jul 90 p 9

[Article by R. Chakrapani: "V. P. Singh Visit to UN on the Cards"]

[Text] Washington, July 3. The Prime Minister, Mr V. P. Singh, will visit New York early October to deliver an address to the U.N. General Assembly session but there are no plans for him to visit Washington.

Mr Abid Hussain, Ambassador to the U.S., told pressmen yesterday that the Prime Minister's visit to the U.N. "is definitely on the cards."

The U.S. President he said, had showed a keenness to meet Mr Singh and it has thought his visit to Washington could be included in his programme. But October was a busy month for the U.S. President also and the Prime Minister's visit to Washington might not therefore take place.

If precedents are any guide, a meeting between Mr Bush and Mr Singh, however, could occur in New York if both happen to be there about the same time. The U.S. President, who addresses the U.N. Assembly on the opening day of general discussions, usually stays at New York for a day or two to meet visiting heads of Government.

If Mr Singh and Mr Bush meet in New York, it will provide an opportunity for both leaders to get acquainted with each other and this could be followed by an official visit by Mr Singh at a mutually agreed date later. Thus, the chances of a Bush-Singh meeting cannot be ruled out and much will depend on the timing of the Prime Minister's visit to New York.

According to UNICEF sources, the Pakistan Prime Minister, Ms. Benazir Bhutto, is also due to come to New York during the U.N. session for a meeting on the rights of children to be held at the U.N. headquarters on September 29 and 30. This meeting is sponsored by a group of six countries including Pakistan. India is not in the sponsoring group. This meeting is not part of the U.N. session but the UNICEF is providing all facilities.

If Mr Singh's visit—for which no dates have been fixed—occurs about the same time, it will raise the possibility of a face-to-face meeting between the two Prime Ministers.

### UN Observers Reportedly Cause Problems in Kashmir

90AS0312A Bombay *THE TIMES OF INDIA*  
in English 7 Jul 90 p 1

[Article: "Move To Withdraw U.N. Officials From J&K"]

[Text] New Delhi, July 6. The home ministry has initiated a move to demand the withdrawal of United Nations observers in Kashmir, for their presence has

often been exploited by pro-Pakistani elements to propagate the contention that the future of Jammu and Kashmir is still unsettled.

The demand for the recall of U.N. observers has been referred to the external affairs ministry which is now examining the issue with its international implications. The observers came here 38 years ago under a U.N. resolution. The validity of the resolution in today's changed scenario and other related issues will be examined before the government takes any decision.

However, the government is disinclined to take a precipitate stand on the issue immediately for it can be misconstrued in view of the recent escalation in terrorist violence in the Valley. Several important Kashmir experts feel that whatever stand about the observers is taken by the world body, their continued presence in Kashmir cannot be justified any more.

The U.N. observers stationed in Pakistan are based in Rawalpindi or Islamabad and not in the Pak-occupied territory of Jammu and Kashmir. The experts say if the observers have to remain, they must shift their office from Srinagar to some town outside the state.

The secessionist elements in Kashmir often organise demonstrations outside the observers' office in Srinagar to present memorandums to the U.N. staff only to embarrass India. Recently, a massive demonstration mobilised by terrorists was staged outside the U.N. office for the same purpose. Apart from other problems its presence is being identified with unjustified uncertainty about the future of the state.

The need for demanding the observers' recall was felt in the past also, but the government did not take any decision about it. Faced with an organised terrorist challenge with the full backing pro-Pakistani elements, it feels the need for long-term measures to restore peace and stability in the region.

Also, it is felt that mischievous Pakistani propaganda beamed daily from across the line of actual control will cease to have any ring of truth, once the observers are recalled. The former governor, Mr Jagmohan, was also of the view that observers must be asked to leave.

Islamabad: Pakistan has stepped up efforts to enlist the support of a number of countries to have the Kashmir issue inscribed on the agenda of the U.N. assembly session beginning in New York on September 18, a leading local daily reported today, according to PTI.

The Karachi-based DAWN said Pakistani's ambassador in the U.S. air marshal (retd) Zulfikar Ali Khan, and Pakistan's representative in the U.N. headquarters, Mr Nasim Ahmad, were instructed during their recent visit here to start "effective lobbying" of member countries.



Quoting unnamed sources, the daily said Pakistan wanted to project the Kashmir case as a human rights issue.

Quoting the Pakistan foreign secretary, Mr Tanvir Ahmad Khan, DAWN said at the same time Islamabad had so far not taken a final decision to raise the issue at the forthcoming general assembly session.

"Technically, the Kashmir issue is already on the U.N. agenda and we are examining whether we should take it to the general assembly or not," he reportedly said.

Mr Tanvir Ahmad Khan, however, stated that as a first step Pakistan was raising the issue at the OIC [Organization of Islamic Conference] foreign ministers' conference scheduled to be held in Cairo from July 30 to August 2.

Begum Nusrat Bhutto who is already in the United Kingdom told PPP [Pakistan People's Party] members at a reception in London that there should be a "realistic approach to Kashmir in keeping with the spirit of times."

The Prime Minister, Ms Benazir Bhutto, who received a disappointing response from Muslim countries during her eight-nation tour in May, is expected to leave next week for four other countries to get support for a plebiscite in Jammu and Kashmir.

### **American Intentions in Indian Ocean Questioned**

90AS0159B New Delhi DINMAN TIMES in Hindi  
10-16 Jun 90 p 13

[Article by Jagdish Vibhakar: "Can the Indian Ocean Ever Become a Zone of Peace?"]

[Text] The United States, Britain, and France have recently announced their intention to leave the United Nations ad hoc committee related to the Indian Ocean. These countries believe that the rule of "general agreement" will be openly ignored in the 1991 meeting. Thus, these three Western military powers have once again dashed our hopes of making the Indian Ocean a zone of peace.

Some political groups in the United Nations have bitterly criticized this abuse of the "common agreement" issue. The United States, which has a huge fleet in the Indian Ocean, does not want this ocean to become a peace zone. Actually, the United States has refused to decrease its naval forces. It is common knowledge that the U.S. Navy has established superiority in the Indian Ocean as compared to the Soviet Union and other western countries.

Canada, West Germany, Italy, Japan, the Netherlands, and Norway have also announced their intention not to participate in this ad hoc committee this year, and have thus shown support for U.S. policy. However, Daya Pererra, chairman of the committee, has indicated that

the efforts of these countries will not hinder the goals of the ad hoc committee approved by the United Nations.

It is important to mention here that this ad hoc committee has the responsibility to resolve the matters related to the 1971 announcement of the United Nations, and the proposal to make the Indian Ocean a peace zone was passed in the 44th session of the United Nations by majority vote instead of general agreement.

China reacted strongly at the United States, France, and United Kingdom's leaving this committee and said that these countries have continually abused the "general agreement" rule during the last 10 years. The Chinese delegate made it clear that the Indian Ocean could not be made a peace zone because of the expansionist activities of these countries and that Western actions are usually opposed to international peace, security, and cooperation. However, what about the Chinese claim on the Spratly Islands?

It should be noted that the United States and its NATO allies have already succeeded in canceling various international meetings on one pretext or another seven times. This committee was first established in 1973, however, no meeting could be held to this day.

It is important to repeat here in the context of the vote that the United States, France, and Great Britain have mentioned that the opposition to the international meeting was badly defeated during the last December vote. There were 112 votes in favor of the proposal. Fourteen countries did not vote, and these three countries had voted against it.

The opponents of the meeting had argued that this proposal was based on the old principle of clashing big powers that had caused tension in the Indian Ocean. They had also expressed the feeling that the superpowers were becoming cooperative now.

We do not disagree with this argument that a new philosophy of defense and security is emerging in Europe and that the tension between the two military treaty countries and the United States and the Soviet Union is relaxing. This will have a very positive effect on the world. However, it is imperative that peace efforts must be expanded to create an equally safe environment for both Europe and Asia.

The negative attitude of the United States has been a cause of concern for the Indian Ocean countries. The present U.S. administration is not willing to reduce its armed forces in the Indian Ocean. The United States is reluctant in holding talks with the Soviet Union in restricting naval weapons in this region. This reduces our faith in the groups that believe that the Soviet Union will totally remove all its naval forces from the Indian Ocean. The opponents believe that the United States perhaps will not follow the Soviet Union's actions after it has removed all its naval ships unilaterally.

Unfortunately, there has been no effect of the relaxation of Soviet Union-United States tension on the Indian Ocean countries. The United States still has a fleet of 20 naval vessels including an aircraft carrier in the Indian Ocean. The United States is far ahead of the Soviet Union both in the number and sizes of the vessels. Mikhail Gorbachev had proposed moving military forces from the Indian Ocean a few years ago. The Soviet Union has reduced its naval forces here since then. The United States still considers its presence in the Indian Ocean unpopular but necessary.

It is common knowledge that the Soviet Union has supported every proposal for making the Indian Ocean a peace zone and also has proposed some concrete steps to achieve this goal. However, the hopes of Indian Ocean countries for making this area a peace zone were not realized due to the negative attitude of the United States.

The problem of the Indian Ocean is tied to the problems in the Asian Atlantic region. The recent U.S. efforts in reducing the armed forces in the Asian Atlantic region have been disappointing. Australia and Japan have made the Asian Atlantic region a cause of concern by providing financial and other support to the U.S. bases in their countries. The United States informed Singapore that it would continue its presence there and be a power in the Atlantic region. We shall see what happens to the Philippines demand for U.S. removal of its bases.

Meanwhile, the Soviet Union has shown willingness to remove armed forces from this area. However, the U.S. presence in this area is gradually increasing as compared to the Soviet Union. It is trying to justify the importance of its being the most powerful naval power in this area. It will not be an easy job to make this area a peace zone if the United States does not change its attitude.

According to some experts, a strong and expanded Indian Navy can be instrumental in making the Indian Ocean a peace zone. It is true that all coastal countries are responsible for defending themselves and not some foreign power. Will China and its close friend Pakistan remain quiet if such a step is taken? The United States is giving full support to Pakistan. The United States is giving economic and military aid to Pakistan on one pretext or another even after the Soviet Union has left Afghanistan. We cannot deny the possibility of new tension in the Indian Ocean after Pakistan's army and navy with its nuclear capability emerges here. However, can India alone with its expanded navy challenge the foreign powers? Pakistan has been very successful in getting more naval vessels than it needs with the help of European Common Market members and because of the anti-Soviet stand of the United States. It has also provided facilities for U.S. naval vessels in Karachi and Gawadar ports.

Therefore, it is a must that India develop as a military and political power for its defense. However, it would be wrong to try to take the sole responsibility of changing the Indian Ocean into a peace zone. India should keep in

mind that it is not easy to force the non-coastal countries to move their naval forces. Increased diplomatic efforts can be more effective in this area.

The United States has once again worried all the coastal countries in the Indian Ocean because of its negative attitude. It has also made the international efforts to control the situation in this region unsuccessful and meaningless by resigning from the ad hoc committee along with France and Britain.

### **Sale of U.S. Supercomputer to India Still in Doubt**

#### **External Affairs Spokesman**

90AS0308A Bombay *THE TIMES OF INDIA*  
in English 12 Jul 90 p 6

[Article: "Clarification on 2nd Supercomputer"]

[Text] New Delhi, July 11: An external affairs ministry spokesman said today that the Cray supercomputer is still under consideration for India.

The spokesman was reacting to a report in the American Defence and Foreign Affairs Weekly that the Bush administration had stopped sale of the Cray supercomputer to India. The supercomputer, which would be the second from the US, was to have been delivered some time this year.

#### **Nuclear Proliferation Fears**

90AS0308B New Delhi *PATRIOT* in English  
12 Jul 90 p 4

[Article: "Supercomputer for NPT?"]

[Text] The truth of the story that the Bush Administration has stopped the sale of the Cray supercomputer to India is, of course, yet to be ascertained. But if the report in the US Defence and Foreign Affairs Weekly of undisputed proximity to policy-makers is correct, it cannot but raise important questions for this country. According to this versions, the sale of the second supercomputer to India has been stopped under apprehensions of its applicability in what is called "India's nuclear weapons programme"; "it would", it is added in order to preempt any serious argument against the theory, "in any case improve and speed up" such a programme. It is not a little curious that the concern should not have been cited at all when the agreement for the sale of two supercomputers was entered into, after years of negotiations, during the days of Mr Rajiv Gandhi's Government. The delay was then attributed only to professed American fears about the security of the hi-tech because of the close Indo-Soviet relations. It must be recalled, too, that what India was vouchsafed, in the event, was only the second best kind of supercomputer. Our meteorological experts have, however, been able to make good use of what they got. The reported US move is illogical in view of the fact that India carried out its nuclear detonation (which, it has been repeatedly made clear, was no part of a nuclear

weapons programme) 16 years ago without the aid of an American supercomputer, and that other countries have made progress in such programmes without such assistance. What then can be the logic of such a step? Can it be seen as yet another pressure on India to revise its stand on the nuclear non-proliferation treaty, and as a response to Pakistan's attempts to play the US game in this regard, possibly for US forbearance over terrorism in Kashmir? Reminiscent of the breach of agreement on the supply of fuel for the Tarapur atomic power plant, any US breach of commitment on supercomputers will only come as yet another proof of the unreliability as a hi-tech supplier of the US.

### **'Hindu' Analyst Reports Comments on Cranston Visit**

#### **Effort To Reduce Tension**

90AS0309A Madras *THE HINDU* in English  
6 Jul 90 p 1

[Article by K. K. Katyal: "U.S. Continuing Efforts To Ease Tension"]

[Text] New Delhi, July, 5. The U.S. is keeping up its efforts to persuade India and Pakistan to work for de-escalating tensions and scaling down rhetoric to obviate the danger of war. This is the meaning of the current visit here of a U.S. Senator, Mr Alan Cranston, after his three-day stay in Pakistan.

Mr Cranston, a member of the Senate Foreign Relations Committee, describes his trip to the sub-continent as a follow-up of the mission of Mr Robert Gates, special envoy of the U.S. President Mr George Bush in May. The Senator's visit also follows the two trips by Mr Stephen Solarz, Chairman of the House sub-committee on South Asia who had met top leaders in the two countries.

According to the Senator, both the U.S. Congress and the Administration have a unified view on the problem in the sub-continent, and are equally concerned over the danger of an armed conflict. The U.S. on the one hand, favoured a negotiated settlement of the Kashmir issue within the framework of the Shimla Agreement, and, on the other, was worried over what it thought were human rights violations in the valley.

"Interference reduced": It was Mr Cranston's assessment that Pakistan had reduced its interference in the valley. In the Pakistan-held Kashmir, he visited two camps—one where there were women and children from the valley, and the other had young men from India who wanted weapons. The Pakistan authorities, he was told, had put them in the camp so as to prevent them from crossing the border. Mr Gates, too, had raised the issue of Islamabad's interference in the valley with Pakistani leaders who said that 31 posts (or training camps) had been wound up.

In Mr Cranston's view, the flow of arms could continue, given the nature of the terrain and other factors, even after the total termination of the official interference.

New Delhi has appreciated the U.S. support for the Shimla Agreement, but wants it to view the allegations of human rights violations in a proper perspective. The Indian Government has repeatedly affirmed its resolve to crush any secessionist activity, be it in Jammu and Kashmir or any other part of the country, and said that it will not be deflected in the discharge of its duty.

Meets Gujral: The Senator met the External Affairs Minister Mr I. K. Gujral, and their talks covered as was natural the developments in the sub-continent, with special focus on Pakistan, apart from nuclear disarmament. Mr Gujral repeated India's commitment to good-neighbourly relations with Pakistan, adding that Islamabad's help to terrorists and secessionists remained the biggest stumbling block in the pursuit of this objective. The Minister spoke of the widely-held perception of the danger posed to modern states by fundamentalist forces, supported by narco-terrorist elements.

Mr Cranston wondered whether India would not play a leadership role in defence-related issues. His attention was drawn to India's action plan, presented to the special U.N. Session last year, envisaging appropriate responsibilities by the nuclear powers within the framework of complete elimination of nuclear weapons.

If the Senator's suggestion implied a plea for India signing the nuclear non-proliferation treaty, he would have discerned strong opposition to any arrangement, seeking to perpetuate discrimination between nuclear haves and have nots.

#### **Parting Statement Examined**

90AS0309B Madras *THE HINDU* in English  
8 Jul 90 p 1

[Article by K. K. Katyal: "U.S. Team Avoids Visit to Kashmir"]

[Text] New Delhi, July 7. Nothing highlighted the cult of violence practised in Jammu and Kashmir as effectively as the experience of the U.S. Senator, Mr Alan Cranston, who had to give up his plans to visit the Valley because of the threat of terrorists. Though remarkably active—at 76, he has kept up his daily jogging—the senator chose not to take the risk.

In a statement, on the conclusion of his week-long visit to the sub-continent, Mr Cranston noted India's concern over Islamabad's action in arming, training and infiltrating militants in the State, and urged the Pakistani government to "refrain totally from this provocation".

Obviously he was not convinced by Pakistan's assertion that "it is not now materially aiding or abetting freedom fighters". The use of "now" was significant—Pakistan conceded that it was engaged in inciting trouble till

recently. According to New Delhi, Islamabad had of late stepped up and not reduced its activities.

This was how the senator narrated the cancellation of his plan to go to the Valley: "Although I visited Azad Kashmir in Pakistan, I was unable to visit Kashmir in India due in whole or in part to the warning of some of those involved in insurrectionary activities there that they will fire random shots at any light vehicles travelling in the Valley.

"I regret that this threat of violence by them made it impossible for me to visit Kashmir to explore at first hand the conditions that they claim have caused their disaffection. I do not condone their violence. I urge them to pursue their aims instead through the non-violent methods of Mahatma Gandhi, which led to Indian Independence".

The senator who met top leaders in India and Pakistan, including the two Prime Ministers, Mr V. P. Singh and Ms Benazir Bhutto, was convinced that the leadership of neither country wanted or intended war. War between India and Pakistan, according to him, would be a catastrophe for the people of the two countries, could conceivably lead to the use of nuclear weapons and would not resolve any Kashmir problem.

Mr Cranston who, in an informal talk during his stay here, described his trip as a follow-up of the Gates mission—the visit in May of the U.S. President, Mr George Bush's special envoy, Mr Robert Gates—said today that he came to the sub-continent at the invitation of the two Governments and with the encouragement of the U.S. Secretary of State, Mr James Baker, and the Senate Foreign Relations committee of which he is a member.

The statement reflected his desire to be even-handed—at one stage he bracketed Pakistan's interference in Punjab with what was seen as India's interference in Sind—but what stood out was his call to Pakistan to end its help to trouble-makers as was urged by Mr Gates in his talks in Islamabad.

(As Mr Gates told Indian Leaders, he had conveyed a strong message to Pakistan to stop its aid to terrorists). And, of course, the statement, reflected the U.S. concern over the danger of war. In his view, the danger would be reduced—perhaps ended for now—if both nations would agree to most or all of the confidence-building measures, suggested by Mr Gates.

"Both sides need to avoid unexpected military manoeuvres and movements that may alarm the other and could lead to misunderstandings, miscalculations and mistakes that could lead to an accidental war", the senator said.

The statement referred to Pakistani charges of human rights violations in the Valley by the Indian security forces, neglect of the State's economic development and denial of the self-determination right. It also noted the Indian position—that there were some violations but

these were neither widespread nor condoned, and that it had now allowed Amnesty International to ascertain facts in Kashmir, that it recently took steps to bolster the State's economy, that plebiscite would not be permitted but elections would be held and that the "significant autonomy guaranteed in Article 370 of the Constitution would be fulfilled as soon as law and order was restored".

Mr Cranston applauded the decision on Amnesty International and urged the Indian government to grant "maximum degree of autonomy to the people there at the earliest possible moment".

Not long ago, a U.S. columnist came out with what was called the Bush plan, commending acceptance of the line of actual control as the international border and autonomy for Jammu and Kashmir. Is the Senator's statement to be seen as a confirmation of it?

### Gain Seen From Quick Purchase of Soviet Arms

90AS0313A Madras THE HINDU in English  
6 Jul 90 p 9

[Article: "Soviet Arms May Come Cheap to Buyers"]

[Text] New Delhi, July 5. The Government's decision to go public with the information that Pakistan has been shopping in East Europe for weapons is being viewed with scepticism in some circles here. Members of the diplomatic community and strategic affairs specialists say that Pakistan ought to be commended for moving fast to strike a potentially lucrative bargain.

Questioned by THE HINDU several senior military officials said that similar proposals from the Army and the Air Force had been floating around but no one had bothered to really understand the implications of the East European developments and the dramatic scenario likely to emerge as the U.S. and the Soviet Union move towards signing a conventional arms limitation treaty by the end of this year or early next year.

Major systems such as tanks (some 55,000 in number), Infantry Combat Vehicles (ICV) (35,000), artillery pieces (28,000) and some 3,000 combat aircraft are destined for destruction following the conventional arms limitation agreement. The count will take place at the time of the agreement and for that reason the U.S. has reportedly embarked on a big give-away and concessional sales programme that includes 700 M-60A-1 tanks gifted to Egypt and 110 to Greece. Other countries may benefit from low-price sales of this equipment which is mainly drawn from the European stock. The U.S. Navy is planning to decommission 11 guided-missile destroyers that will be available for sale or lease in the coming year.

Considering the traditionally close ties between India and the USSR, a quick agreement to buy some of the large numbers of equipment being shed by the Red Army could be enormously beneficial to India. They could be

used to accelerate the replacement of obsolete equipment and provide a reservoir for spares.

**Savings potential:** The emergence of a East European/Soviet bargain basement for conventional arms could be extremely useful for India which is reeling under the burden of defence expenditure. In the area of tanks and Infantry Combat Vehicles alone there could be massive potential savings if India could buy cheap large numbers of T-72 tanks and BMP-2 ICVs. This would necessitate the closing down of the line in Avadi and Medak, but the loss could be written off against the gains from acquiring the systems cheap. Both the Medak and Avadi factories have been working far below capacity because of lack of orders from the Army which says it has no money for the equipment. However, according to the figures available, the Army has to modernise/replace 2,500 T-55 and Vijayanta tanks and replace 450 armoured personnel carriers in the next ten years.

There have also been suggestions that the sharp reduction of Soviet Army holdings could assist in the modernisation programme. India could acquire for example the T-72S tanks which are powered by 1000 HP engines and have top attack protection and reactive armour. This T-72 upgrade, according to one military officer could be used to wind up the Arjun Main Battle Tank project at the prototype stage.

From the Indian Air Force point of view, the East European/Soviet arms cuts could assist in providing backup and spares for aircraft, missile and radar systems. There is also an opportunity to obtain raw material and critical tools to reestablish the MIG-21 assembly line that would have to be reopened if a decision is taken to use a MIG-21U as the Advanced Jet Trainer or for that matter, if delays in the LCA make it necessary to use the MIG-21s for a longer period.

**Pak stocking spares?** Some Indian defence specialists are worried that Pakistan's shopping spree is related less for front-line equipment and more for stocking spares and ammunition for its large holding of Chinese-made arms of Soviet design. Statements by some Pakistani military figures point to the possibility of the Pakistani armed forces working on a revised battle strategy stressing a long war.

While the Prime Minister, Mr Vishwanath Pratap Singh has spoken of the necessity of being psychologically prepared for a long war, there are few signs that the rest of the country let alone the Ministries and Service bureaucracies have understood the implications of the security situation around the country and in the Third World. Indian protests over arms transfers have always cut little ice and are not likely to in future as the First World patches up its differences and begins shedding off its excess weaponry to the Third World.

### **Agreement on Japanese Grant to India Signed**

90AS0311A Madras *THE HINDU* in English  
7 Jul 90 p 10

[Article: "Rs. 13:40 Crore Japanese Assistance to India"]

[Text] New Delhi, July 6. Japan has extended to India a grant assistance of 1.2 billion yen (around Rs. 13:40 crore). An agreement to this effect was signed here today by the Finance Secretary, Dr. Bimal Jalan, and the Japanese Ambassador to India, Mr. Eijiro Noda, on behalf of their respective Governments.

This includes debt relief grant aid of 439 million yen (Rs. 4.86 crore), grant aid for the improvement of fire fighting and rescue equipment of 370 million yen (Rs. 4.09 crore) and grant aid for exploitation of ground water of 401 million yen (Rs. 4.44 crore), according to an official release.

The debt relief grant amount will be utilised for import of rolls, steel products like steel and alloy steel from Japan, most of which will be utilised by the Indian Railways. The other amounts will be utilised for import of fire fighting vehicles, ambulances and other equipment from Japan and for source finding investigation at field level and import of equipment for the development of ground water in drought affected areas.

With these agreements, the total grant aid so far from Japan to India for 1990-91 amounts to about 2.1 billion yen. In addition to grant aid, Japan also extends soft loans by way of project assistance as part of their Official Development Assistance (ODA).

At the recent India consortium meeting, Japan pledged 104 billion yen by way of soft loan assistance for projects in infrastructure and social sectors. Japan is now the largest bilateral donor to India.—PTI

### **Indian Defense College Officials Visit PRC**

90AS0320A New Delhi *PATRIOT* in English  
2 Jul 90 p 6

[Article: "Defence Delegation Visits China"]

[Text] A high-level team of Indian officials from the National Defence College (NDC) is now visiting China marking the first contact between the armed forces of the two countries in almost three decades, reports UNI.

Led by Vice-Admiral S. P. Govil the team comprises senior officials of Army, Navy and Air Force and the Ministry of External Affairs.

As a gesture of friendship the Chinese Government unveiled some of its important defence facilities to the NDC team and showed the war games simulation centre. In this Centre the Chinese military trains its officers and men in the latest tactics of war.

At a reception in honour of the visiting team, General Xu Xin, one of the four deputy chiefs of General Staff of

the Chinese Armed forces, expressed the hope that the visit would mark the beginning of new contacts between the armed forces of the two countries.

The NDC team was also received by Chinese Vice-Foreign Minister Ki Huai Yuan who gave a lengthy briefing to it on former Prime Minister Rajiv Gandhi's visit to China and said "the Chinese Government attached great importance to improvement in bilateral relations between the two countries.

The NDC team was also received by Chinese Vice-Foreign Minister Ki Huai Yuan who gave a lengthy briefing to it on former Prime Minister Rajiv Gandhi's visit to China and said "the Chinese Government attached great importance to improvement in bilateral relations between the two countries.

Mr Yuan noted that this was the first contact between the armed forces of the two sides and hoped that such contacts would take place in the future also.

## Papers Report Cuts in Government Expenditure

### Ministries Cut 10 Percent

90AS0319A Madras *THE HINDU* in English  
3 Jul 90 p 1

[Article: "Ministries To Cut Expenses by 10%"]

[Text] New Delhi, July 2. All Central Ministries have been asked to effect a 10 percent cut in expenditure "across the board", in a bid to save an estimated Rs. 4,000 crores to Rs. 5,000 crores this year.

The Finance Minister, Prof. Madhu Dandavate, told PTI in an exclusive interview, that his Ministry had taken this step in view of the severe resources crunch. The response from the Ministries had been positive, he added.

In the course of the wide-ranging interview, the Minister spoke about the state of the economy, price rise, problem of black money and the role of financial institutions in the corporate world. "There are severe constraints on the economy", he said adding that he had explained the position to the Union Cabinet yesterday with the help of graphs and charts.

### Choice Left With Them

Elaborating on the expenditure reduction move, he said the choice on how to cut down expenditure had been left to the Ministries. They could bring it down by deciding to delay certain projects, which they feel are not immediate or postpone the setting up of new establishments or offices, he said.

Replying to a question, the Finance Minister said he had made a general appeal to the Chief Ministers to reduce expenditure.

He admitted that there were severe constraints on the economy and underlined the need to check the serious balance of payments position. For this the exports had to be augmented, the revenue collections machinery made more effective and expenditure by government and quasi-government undertakings needed to be restricted.

The Finance Minister said fortunately this time 100 percent normal rainfall was predicted and if it was so then it would help in restraining inflation.

Mr Dandavate said, "in a totality a number of constraints are there and some favourable trends are there. We must act effectively and see that the situation is not allowed to drift."

Bringing down the consumption of petrol diesel and other petroleum products would go a long way in cutting down import expenditure. He said the Government was trying to restrict the consumption of these items in its offices.

Asked if the closure of petrol pumps on Sunday had had any effect, the Finance Minister said as far as the Government was concerned it would definitely help in cutting down consumption. For the general public, he felt, the step will have a psychological effect.

Referring to the deficit position, he said on this the Government was moving in the right direction.

Mr Dandavate defended the new industrial policy under which foreign investment up to 40 percent would receive automatic clearance. For such investment a positive list existed which meant that the entry was limited and restricted. He said the Government had not deviated from the policy of self-reliance in the economy.

### Official Travel Cut

90AS0319B Calcutta *THE STATESMAN* in English  
4 Jul 90 p 1

[Article: "Curbs on Foreign Tours by Minister"]

[Text] New Delhi, July 3—The Government has decided to substantially reduce foreign tours of Ministers and senior officials in the current financial year. The foreign travel budget of the Ministries is being cut by 20 percent.

This follows a review of the current fiscal and the balance of payment situation by the Union Council of Ministers. The Ministers have directed their respective Ministries to reduce Government expenditure, particularly expenditure in foreign exchange.

The foreign offices of promotional agencies of the Government of India will be closed. A part of the saving thus made will be used for promotional activities from the Indian offices, wherever necessary. To begin with the foreign offices of India Investment Centre in the Ministry of Finance are being closed.

The Ministry of External Affairs has decided to reduce foreign exchange expenditure by 10 percent. It is undertaking a review of the working of all its missions abroad. It has also been decided to close supply missions in Washington and London, set up quite some time ago for purposes which are no longer being performed.

The Commerce Ministry has been asked to undertake a review of import of components by manufacturing units which do not contribute sufficiently to the export effort. It has been decided that the phased manufacturing programme laid down by the Ministry of Industry will be scrupulously adhered to.

A further cut of 10 to 15 percent in their requirement of components will be made. The units will be asked to meet this part of the requirement either from their own export entitlement or by using replenishment licences of other exporters as provided in the important policy.

### On Investigating RAW

90P40102A New Delhi DINMAN TIMES  
in Hindi 15-21 Jul 90 p 7

[Article By M. K. Venu: "It Will Be a Mistake To Keep Giving RAW Unbridled Freedom"]

[Text] The illusion that all the actions of the Government of India that are planned by its Intelligence Bureau are secretive and undefeated was shattered in the Vale of Kashmir, where the terrorists had picked and chosen intelligence officers and had killed them.

RAW [Research and Analysis Wing] agents are generally considered more cautious than other intelligence agencies. It is also believed that RAW functions in a more planned manner, but the terrorists identified them, surrounded them, and killed them also. The result was that the entire intelligence setup was broken by terrorists. They were successful in putting brakes on RAW and intelligence department agents. The inefficiency of intelligence agencies was never before this explicit.

It can be gleaned from this situation what type of information these agents were giving the central government, and also that all this information was being intercepted by the terrorists before it could reach the center.

Indian Foreign Secretary S. K. Singh holds RAW answerable to the fact that the government has not been able to get any useful information from the valley since 1987.

In one of his recently published articles, Mr. Singh has said that RAW's work is of a low standard, especially in view of the fact that it is one of the prominent agencies of the Ministry of External Affairs. It is beside the point here that previous prime ministers had misused RAW, i.e. to overthrow their political adversaries.

The wrong information given by intelligence agencies, especially RAW, obliged the government to put the leash

of a Loksabha investigation on these agencies. A committee of the Loksabha will now investigate the operations of RAW and the intelligence agencies. The committee will be headed by Jaswant Singh, MP [Member of Parliament]. This will set a precedence for establishing answerability in the intelligence agencies. Even though late, this step has been welcomed by all. In democratic nations like the United States and UK, there is legislative control on espionage agencies. Details of the activities of the CIA (United States), and M-25 (UK) are presented periodically to the public.

Even in the USSR, under the shadow of glasnost, the role and operation of the KGB is starting to be discussed. It is puzzling why India has delayed bringing these agencies under legislative control.

The primary function of RAW is to apprise the government of happenings in neighboring countries and other parts of the world, so that the country can formulate a proper foreign policy.

However, has RAW always given accurate facts and figures to our policy makers? Can we be assured that the funds given RAW were not being misused? How much attention has been paid to the ethical and legal aspects of RAW's work? Many such questions exist for which authoritative answers can not be had because RAW has never been under governmental control.

This agency has always been functioning under the personal directions of the prime minister, and has always had unlimited resources to spend from. It was established in September 1968. At that time, it was operating under the leadership of Indira Gandhi and Ramnath Kao. Kao was the first director of this agency. He built RAW up from its early years. In 1977 RAW was under Kao and Indira Gandhi.

RAW does not have an impressive track-record in the matter of giving accurate information. Among recent incidents, the major story of failure is that of giving information to the Peace Keeping Force in Sri Lanka, most of which proved to be inaccurate. Even the RAW officials of the highest level accept this today. RAW agents had been dispersed all over Sri Lanka immediately after the crisis situation began, and yet nothing meaningful was being accomplished. To a degree, the countless deaths of the Peace Keeping Force soldiers, is due to not getting accurate and timely information.

It is expected that the evaluation committee will assess the worth and significance of the information collected by RAW. It is extremely important also because in the past years these intelligence agencies have been spending recklessly. At present RAW has at its disposal the "Intelligence Service Fund", whose monies are spent on collecting information. To this end, RAW spends a lot in foreign exchange. The authority to obligate this expense rests with the chief of RAW alone.

Recently, a union of ex-workers of RAW demanded that the current government audit the previous government's

spending. It has also been asked that the personal property of some high officials of RAW be assessed. Such demands by former employees give room to the doubt that there have been problems within RAW. It also brings to the forefront the fact that the previous government had used RAW to serve its own political needs. RAW, however, can not admit that it was responsible for these in-country operations, because these were outside its jurisdiction.

### **New Army Chief of Staff Takes Over Command**

90AS0321A Madras *THE HINDU* in English  
3 Jul 90 p 7

[Article: "No Soft Options, Says New Army Chief"]

[Text] New Delhi, July 2. General Sunith Francis Rodrigues on Monday took over as the 16th Chief of the Army Staff, declaring that there were "no soft options" before the Indian Army.

"The nation is passing through a very critical period", said Gen. Rodrigues, who is the first Army aviator to become the Chief adding "I look to days ahead with confidence, in our ability to win through."

The new Army Chief laid a wreath at the Amar Jawan Jyoti and then drove in a motorcade to his South Block office where he was presented a guard of honour by his own 56 Field Regiment.

In his first order of the day, Gen. Rodrigues said "I will make no promises I cannot keep" but told officers, jawans and the public to "strive hard to fulfil the dream they shared of the nation's future."

'1,000 years of war': Talking to presspersons at his office, Gen. Rodrigues in an obvious reference to threats of 1,000 years of war held out by the Pakistani leaders said, "are these people sure they can survive a thousand years?" He said the Indian armed forces "had the will and the capacity to finish what they have started."

Gen. Rodrigues said national security was not the concern of the armed forces alone. "Every citizen, if he finds that there is something worth preserving, should stand up and be counted".

He told officers and jawans to rededicate themselves to the code of conduct and of personal behaviour that made a soldier what he is. The road ahead was not easy, he said, but expressed confidence that with their commitment and drive, the armed forces would continue to do their duty.

Gen. Rodrigues, who hails from a family of journalists, had a word for the Press. Instead of "exposing" others, the Fourth Estate should enthuse people with a sense of hope so that the nation could concentrate on all that it had achieved. "At this stage of development, we just cannot transport the western concept of (investigative journalism) to India," he added.

Prayers: Gen. Rodrigues made a break from tradition on taking over refusing to spell out his priorities, but instead drawing the attention of everyone to a writing he had just got inscribed in his office, which conveyed everything. Labelled "an officer's prayers". It read "Lord make me worthy of the men I serve. Worthy of their loyalty and devotion to duty. Their wonderous willingness and ready laughter. Their great humility, that asks so little and gives so much readily without complaint. Grant their simple wishes Lord, and bless them please. For in this world no better soldiers breath than these".

He said it was too early for him to comment on what directions he would take the Army. But stressed "if you want to know what I want to convey to my men, then I would like to be photographed with this (pointing to the writing inscribed on the wooden panelling)." He said he would always be guided by these words.

Soon after taking over Gen. Rodrigues called on the President, Mr R. Venkataraman, the Supreme Commander of the three Services. He also met the Prime Minister, Mr V. P. Singh and the Minister of State for Defence, Dr Raja Ramanna.—PTI

### **Shakilur Rehman New Janata Dal Vice President**

90AS0306A Bombay *THE TIMES OF INDIA*  
in English 13 Jul 90 p 1

[Article: "Rehman Replaces Hegde"]

[Text] New Delhi, July 12 (UNI): Mr Shakilur Rehman, MP [Member of Parliament] from Bihar, is the new Janata Dal vice-president.

He is an academic, a noted Urdu writer and former vice-chancellor of the Mithila University, Darbhanga.

Mr Rehman succeeds Mr Ramakrishna Hegde, who had resigned the party post after his appointment as the deputy chairman of the planning commission. He has since resigned this post too on account of the Kuldip Singh commission report on the controversial land deal in Karnataka.

### **Janata Dal Party Elections Postponed to December**

90AS0318A Calcutta *THE TELEGRAPH* in English  
4 Jul 90 p 4

[Article: "Dal Puts Off Party Polls by 2 Months"]

[Text] New Delhi, July 3: The Janata Dal party organisational elections are expected to be delayed by about two months, from the October schedule that had been planned earlier.

The membership drive which was to have begun by July 15 will not be able to take off by that date either as the party interim reorganisation which began with the election of the interim president Mr S. R. Bommai, has not been completed as yet.



The veteran socialist and party ideologue, Mr Surendra Mohan, has been sounded for the position of party vice-president. However, party sources indicate that he is reluctant to take up the position. Mr Ramakrishna Hegde has not been offered the position, according to party sources.

The party will have either five or six general secretaries, including a Muslim, a Scheduled Caste and a woman. Among the names mentioned for party general secretaryship are Mr Yashwant Sinha, Mr Jaipal Reddy, Mr Om Prakash Chautala and Mr S. P. Malaviya.

The last political affairs committee (PAC) of the ruling party which discussed the issue on June 18 took some decisions on the new setup of the party organisation. By all indications, the post of secretary general of the party will not be retained, neither will the other crucial position of chairman of the parliamentary board. Both of these posts would have been tricky issues for the party to handle with the possibility of tough contests for the posts.

The parliamentary board, however, will remain under the chairmanship of the party president, while the PAC is expected to be reorganised.

### **Janata Dal Leaders Take Up Cause of Baliapal Protesters**

90AS0310A Calcutta *THE SUNDAY STATESMAN*  
in English 8 Jul 90 p 9

[Article: "Test Range Issue Taken Up With C.M."]

[Text] Bhubaneswar, July 7—Reflecting the anger and anguish of the people of Baliapal, senior Janata Dal leaders yesterday took up the issue of the inordinate delay of shifting of the National Test Range [NTR] from Baliapal with the Chief Minister, Mr Biju Patnaik.

Reliable sources said that Mr Samarendra Kundu, M.P. [Member of Parliament], Mr Aswini Patra, MLA [Member of Legislative Assembly] and Mr Bhagabat Behera, MLA met Chief Minister and brought to his notice the feelings of the local people. They are believed to have pointed out that any further delay of a clear cut announcement regarding the shifting of the test range would amount to a betrayal of the local people.

Both the Chief Minister and Mr Kundu, however, assured during the course of the discussions that national test range will never be located at Bahapal.

The lurking fear in the minds of the people of Baliapal and the committee which had spearheaded the unique people's movement for more than four years now stems from the fact that the expected declaration of shifting the project by the Centre which they had expected to be made soon after the Dal was voted to power had not yet been done.

Some members of the committee who had recently come to the State capital and are believed to have even called

upon the Chief Minister regretted that instead of a clear categorical declaration of shifting the project various statements from the Defence Minister had created confusion. They now feel that the theory of Baliapal being the best and ideal location for the national test range may again be propped up by a few people in the Defence Ministry. Their apprehension is that the "South Block in the Defence Ministry and some old hogs will gain strength from the fact that Mr Arun Singh has been re-inducted" and this group, they alleged, may revive the Baliapal NTR project site to be the best one in the country theory.

Meanwhile, voicing concern over unemployment in Balasore district, Mr Samarendra Kundu has written to the Industries Minister, Mr Ajit Singh, and Mr Biju Patnaik drawing their attention to the recruitment policy of Birla Tyres unit.

Mr Kundu said although the Rs 300 crore project was given various infrastructural facilities by the State Government, the local youths had not benefitted in any way. Recently the company had called for application for posts in the management level.

It wanted the applicants to have three to six years experience in tyre industry. This had frustrated the local youths as there was no tyre industry in Orissa and they had no scope to gain experience. Mr Kundu has urged the Industries Minister and the Chief Minister to look into the matter and suggested that the local youths should be given preference. They could also be recruited and later given necessary training, he said.

### **Details of Hegde Resignation From Planning Panel Noted**

#### **'Forced To Quit'**

90AS0315A Bombay *THE TIMES OF INDIA*  
in English 6 Jul 90 p 1

[Article: "Hegde Forced To Quit"]

[Text] New Delhi, July 5. Even as Mr Ramakrishna Hegde's resignation was being hailed for enhancing the prestige of the Janata Dal by its president, Mr S. R. Bommai, according to sources close to the Union cabinet, Mr Hegde had tried to defend himself before the cabinet committee on political affairs (CCPA) on Sunday, before resigning.

The CCPA meeting, convened in the morning to discuss the Kuldip Singh commission report, had to be postponed [word illegible] the evening as Mr Hegde had indicated that he would send a note for the committee's consideration.

Mr Hegde reportedly sent a ten page note in his defence which the CCPA considered. Although Mr Hegde has denied that he has seen a copy of the Kuldip Singh commission report, according to well-informed sources,

he was given a copy of the report on last Friday. The CCPA members, on the other hand, were given a copy of the report on Sunday.

An overwhelming majority in the CCPA felt that Mr Hegde had no option but to resign, despite his note. The panel was also informed of the law ministry's opinion that Mr Hegde's position was indefensible. Only two ministers in the CCPA tried to go soft on Mr Hegde. However, one of them, an old socialist who is considered close to Mr Hegde felt that the latter should resign.

Most of the ministers were taken by surprise when the Prime Minister asked Mr Hegde to continue. Mr V. P. Singh's letter to Mr Hegde remains a mystery even to his senior cabinet colleagues.

According to well-informed sources, one of the strategies being explored by Mr Hegde's supporters is to try and get the commission report rejected by the department of personnel. The processing of the report by the department, in effect, means that it will either recommend that the report be accepted or rejected. If it recommends acceptance, then it has to decide in which instances departmental or criminal action needs to be taken.

However, this may not be an easy task for the government even if it wants it so because it would have to present the report before Parliament.

Mr Hegde's detractors believe that his "moral posturing" was not going to help him. Thus, one of them commented: "This high moral posturing is completely uncalled for. On the one hand, he is talking of moral values and, on the other, having participated in the investigations of the Kuldip Singh commission, he is now launching a daily attack on the judge and the commission. Never has hypocrisy been practiced with such finesse".

He also held that Mr Hegde was using the media selectively to protect that the commission had said nothing incriminating against him.

But the commission, in fact, is said to have recorded that a meeting took place between Mr Hegde and the then minister for urban development. The latter had an alternative proposal for the allotment of the piece of land in question and it was at Mr Hegde's insistence that allotment was sought to be changed in favour of the non-resident Indian's housing association.

#### **Kuldip Panel Indicts**

90AS0315B Bombay THE TIMES OF INDIA  
in English 12 Jul 90 pp 1, 20

[Article: "Kuldip Indicts Hegde of Abetting Fraud"]

[Excerpts] New Delhi, July 11. The Kuldip Singh commission has concluded in its report that the former Karnataka chief minister, Mr Ramakrishna Hegde, is guilty of abetting a fraud by a Bombay builder, Mr Siraj

Lokhandwala, through a non-existent organisation called the Non-Resident Indian Housing Association (Karnataka) Pvt Ltd.

The commission came to four major conclusions in its 300-page report.

(i) That the decision of the Bangalore Development Authority [BDA] dated July 3, 1987, approving the allotment of 110 acres of land in the name of the NRIHA(K) was to the knowledge of Mr Hegde.

(ii) That it was further known Mr Hegde that the NRIHA(K) was a non-existent body and that it was a false front set up by Mr Lokhandwala to grab the multi-crore NRI housing project.

(iii) That in spite of Mr Hegde's knowledge that the NRIHA(K) was a false front behind which Mr Lokhandwala was operating, he did not take any action to stop the fraud being perpetrated. By deliberate inaction on his part, Mr Hegde abetted the commission of the fraud by Mr Lokhandwala, and ;

(iv) There is no material before the commission to show that the fact of fabrication /interpolation of official records by Mr Lokhandwala and Dr H.G.V. Reddy, then chairman of the BDA, was to the knowledge of Mr Hegde.

The finding of the commission about the son-in-law of Mr Hegde, Mr Manohar Lal Nichani, are even more damning for the "value-based politics" that Mr Hegde has been claiming to practise. [passage omitted]

The really damning evidence against Mr Hegde the commission found was in the proceedings of the meeting held in the chief minister's chamber on December 14, 1987. These make it evident that Mr Hegde took an active interest in the allotment of land to the fake NRI company and was in fact told that the company had taken possession of the land and begun work at the site.

It is evident from the record of the proceedings of the meeting that the land was already being bought by the greater Bangalore house-building co-operative society. This information was given by the minister for urban development. [passage omitted]

#### **Interstate Council for Center-State Coordination**

90AS0307A Calcutta THE STATESMAN  
in English 25 Jun 90 p 1

[Article: "Inter-State Council"]

[Text] New Delhi, June 24—The President has issued a notification formally setting up an Interstate Council headed by the Prime Minister as recommended by the Sakaria Commission on Centre-State relations, reports UNI.

Besides the Prime Minister, six Cabinet Ministers and all Chief Ministers of States and Union Territories will

constitute the council, set up as a forum for dialogue to ensure better coordination between the Centre and States.

A permanent secretariat is to be set up for the day to day functioning of the council. The process of activating the council is being accelerated as its first meeting is to be held anytime after July 20 in Bangalore as suggested by the Karnataka Chief Minister.

### **Water Shortage Can Lead to Confrontations**

*90AS0159A New Delhi DINMAN TIMES*

*in Hindi 10-16 Jun 90 p 11*

[Article by Hari Prasad Chaurasia: "In the future, Wars Could Be Fought Over Water"]

[Text] The Indian Water Supply Commission had planned to artificially melt glaciers in the Himalayas to solve the water shortage problem. The scientists, however, were afraid that playing with Nature might backfire. Their fears are justified since the Himalayan mountain range is very sensitive to any climate changes because of its proximity to the equator. There can be some very destructive results of the efforts to melt ice by artificial means. There could be floods in Northern India which could cause havoc in the plains region. A lot of ice melts naturally during the summer. If this melted ice is stored appropriately, we will not have to melt ice by artificial means. This will not harm the environment.

History is our witness that people have died of hunger, epidemics, and famine, but we have never read about any person dying of thirst. Dying from lack of water could be a special characteristic of the 20th Century. Emperor Babar wrote in his Babar-nama, "Water is everywhere in India. I have not seen so many rivers anywhere else. It rains so heavily and for many days continually here." This proves that India was self-sufficient in water during Babar's time. However, India is crying for every drop of water now. Insufficient rains indicate serious problems of environmental pollution.

Many foreign birds come to India for survival. Their number is decreasing gradually. There is not enough water left in our rivers because of environmental pollution. What is left there is sewage. Some birds lose their lives on their way because of air pollution and many other birds migrate to other countries because of this danger.

Many countries in Asia and Africa are facing serious drinking water scarcity. Three out of five persons are facing water shortage. More than 15 million children in the Third World countries die of water shortage or polluted water before they are five years old. More than 80 percent of the people are using polluted water. The industrial revolution has turned the nectar-like water into poison. Water has become the largest killer now. Malaria, dysentery, fever, cholera, and skin disease are spreading at epidemic proportions. We see new deserts wherever we look.

We can live without food, but it is difficult to live without water even for a short time. The present agricultural policy, formulated for modernization, also needs a lot of water as urea and other chemical fertilizers require more water. We do not use manure anymore. Fresh water that should be used for drinking is used in industry. The United Nations had passed a resolution in 1976 requiring to have plenty of fresh water by 1990. The United Nations in its General Assembly meeting on 10 November 1980 declared the decade of 1981-90 as the fresh water cleaning and production decade. However, this declaration did not grow beyond the declaration stage. The whole world is facing the water crisis. We have not been successful in saving water despite the repeated warning by the scientists and the educational efforts. Millions of rupees are wasted on various water schemes, but we do not get any more water.

The Malwa area in India used to be the proud area with productive green forests. The water level here has been dropping sharply because of too many tubewells sunk there. Tubewells of less than 300-350 feet depth are being closed or have become useless. The Malwa area of Madhya Pradesh is suffering from water shortage just like Gujrat and Rajasthan!

It is not easy to say anything about water, however, we must work hard to avoid this catastrophic situation. We cannot solve the water problem without hard work and effort. It is very important to stop water waste. The Ministry of Water Conservation had presented the first draft of the water conservation policy in 1987. The situation, however, has worsened since then.

It is important to change water policy to meet the water shortage problem. Smaller dams that harm the environment less should be built instead of the larger ones. A policy to make water reservoirs in every village should be implemented. These reservoirs can be used for fisheries, to help maintain levels of wells, and to provide water for irrigation.

A lot of water is wasted in the irrigation canals. Drains leading water to fields should be made of bricks or cement pipes should be used to reduce water wastage.

It is very important to change the water policy in the cities. Waste water from the cities should not be dumped into the rivers. Instead, water treatment plants should be constructed in every city, and water should be recycled for irrigation. Underground sewage systems should also be built.

A permanent solution should be worked out with the help of municipal committees and village councils for the problem of throwing dead bodies, half cremated bodies, and ashes into rivers. Dead human bodies are thrown in the Ganges, the Jamuna, and the Narmada even today. The corpses are washed out to beaches on both banks because of the low water level and are eaten by vultures, crows, and dogs. The little water that is left

in the rivers is already contaminated. The fish that used to eat these corpses are also gone because of pollution and low level of the rivers.

Something must be done soon about the water waste discarded factories. All industries using water must be directed to build water treatment plants. They should be instructed not to let the polluted water flow into the rivers. Instead, this water should be recycled after treatment. Permission to build new factories should be contingent upon having water treatment plants. Older factories should also be required to build such plants and those who violate this requirement be punished.

Older water plants should be cleaned up and modernized to generate electricity.

Forests help us conserve and store water. It is important to expand our forests to increase rainfall. Forests are still being destroyed to fulfill the needs of big development plans. Sardar Sarovar Dam on the Narmada and the dam being built in Tihri Garhwal in Uttar Pradesh are new examples of this trend. People's organizations should be established to expand the forests. Forests will develop with financial and technical assistance. This will create new jobs also, however, cooperation of the people is a must for this.

Immediate action under the international plan is necessary to stop air pollution. The government must use scientific ways and impose restrictions to stop poisonous gases and carbon monoxide from freely mixing in our atmosphere.

These facts show how much entangled we are in this water problem. We should not be surprised if wars are fought over water in the future. The Farat is an ancient river on which the Turkish people have built the Ataturk dam. This has caused this river to almost dry up, and the people in Syria are suffering from water shortage. Ethiopia is also ready to use the Nile water and Egypt is worried about it. It is ready to fight wars over the Nile.

Not much attention is given to this very important problem despite repeated demonstrations by the active environmental protection groups. These demonstrations are usually suppressed. This does not solve the problem; it makes it worse.

We have destroyed the rivers and the jungles more than we should. We must make some headway in making the people aware of this problem or we will all die begging for drops of water.

[Box: These statistics deserve attention.]

Drinking water is becoming more and more scarce. The number of cities and villages begging for more water is increasing every year. The situation is getting worse gradually. Here are some interesting statistics collected from various sources.

India will need 110 million hectares of water by 2000 AD. According to a 1989 report from Patna, one million

persons need 5.8 million gallons of water daily, but are provided only 2.7 million gallons. This supply is not equitable or fair.

Delhi got 409 million gallons of water daily for its eight million people. It needed 472 million gallons.

According to the 1989 report, two buckets of water were issued by ration card in Madras. In Bombay, the water supply was reduced from 80 gallons to 40-45 gallons per person per diem. During the first three years of the 7th five-years plan, this state was 50 percent short in meeting its water supply goals.

There were 213,067 tubewells in Madhya Pradesh by 31 July 1988. Of which only 170,351 were working. In other words, 20 percent were closed. Of the 176,000 tubewells sunk in Madhya Pradesh between 1980 and 1988, 33,712 were closed due to lack of water. These dud wells cost us 35.6 billion rupees.

In the recently published report of India's auditor general, water supply schemes for all villages were to be initiated according to the 20-point program under the 7th five-year plan. However, this goal was not met as 287.3 million rupees over the approved budget were already expended. In 1990, 40 out of the 45 districts in Madhya Pradesh are struggling with the problem of drinking water shortage.

Lucknow, a city in Uttar Pradesh, needs 400 million liters of water daily, however, it gets only 280 million liters. Water from the Gomati is too polluted for any use. One ton of steel requires 200 cubic meters of water and one ton of nickel requires 4,000 cubic liters of water for processing. We need 100 cubic liters of water to make one ton of paper. Polyester yarn requires 5,000 cubic liters of water. About 85 percent of our water supply is used in industrial production.

These statistics show how the water shortage problem has grown to scary proportions.

### **Foodgrain Production for 1990 Expected To Exceed Target**

90AS0314A *Bombay THE TIMES OF INDIA*  
in English 6 Jul 90 p 16

[Article: "Grain Output May Exceed Target"]

[Text] New Delhi, July 5 (PTI): Foodgrains production this year is expected to cross the target of 179 million tonnes, according to minister of state for agriculture, Mr Nitish Kumar.

He told PTI that prospects in this regard have brightened up due to the good monsoon so far, coupled with government's endeavour to provide remunerative price to agricultural produce.

He said the government has already come out with a draft agricultural policy resolution aimed at speedier

development of agriculture, more exports of farm produce and better prices to the farmer for his produce.

Detailing steps taken by the government to make available, quality inputs like seeds and fertilisers to the farmers, Mr Kumar said special measures are being taken to help dryland farming.

Referring to the debt relief scheme, he regretted that some Congress-I governments were attempting to pass on the entire burden of the loan waiver to the Centre.

On strengthening of co-operatives, he said the government was awaiting the report of the working group constituted by the Planning Commission under the chairmanship of Mr Brahma Prakash in this respect. He said the government would take suitable steps after examining the report.

### Excerpts From Punjab Governor's IPA Interview

90AS0316A New Delhi PATRIOT in English  
5 Jul 90 p 5

[Article: "Normalcy First, Then Polls: Punjab Governor"]

[Text] Chandigarh: Assembly election in Punjab is not the first priority of new Punjab Governor, Virendra Verma. This was disclosed by the Governor in an exclusive interview to IPA at Raj Bhavan.

Mr Verma emphasised that he would not play a party game like Governors during Congress rule, but would take all parties along for bringing peace and normalcy in the State.

In the course of the interview, an interesting revelation was when Mr Verma came forward with the name of a member of Parliament who offered to mediate on behalf of the militants, provided the Governor would drop his preconditions—abandoning of arms and consideration of demands within the framework of the Indian Constitution—for his talks with the militants. But the Governor sticks to these preconditions.

Stoppage of extortions, kidnappings and killings of innocent persons as also eradication of corruption in the police and civil administration are high on the Governor's agenda.

The Governor wondered about inaction of his predecessors over the militants treating as "martyrs" terrorists who were killed by the security forces. He has initiated action not to permit "Shaheedi conferences" and construction of new gurdwaras in memory of murderers.

Excerpts from the interview:

[IPA] Punjab has been under President's rule for three years. Another six months will also expire in November this year. Will you be able to hold Assembly elections in the State before the expiry of the extended term?

[Verma] In the first place, I would like to say that the press has been giving importance to Assembly elections out of proportion. I give greater importance to stoppage of killings of innocent persons and restoration of normalcy in the State.

[IPA] Do you mean to say that elections will be postponed till the return of normalcy?

[Verma] Elections have to be fair and free and will be held as soon as we are able to bring about a congenial atmosphere.

[IPA] Your first formal political initiative in the form of an all-party meeting and Punjab MP [Member of Parliament]'s proved to be a non-starter due to non-participation of Akalis and a majority of MPs. What would you say?

[Verma] Akalis may be having some reservations. But I can tell you that leaders of all the three main Akali Dal factions have sought separate meetings with me. I will be meeting them shortly. (A deputation of the Akali Dal led by Mr Parkash Singh Badal met the Governor on June 27). Most of the MPs have already met me and have extended their cooperation.

[IPA] What is your reaction to non-participation of the Akalis in the meeting?

[Verma] They have not acted wisely. They talk of solving the Punjab problem but keep away from talks. This is double talk which cannot be overlooked. It should be clear to them that a solution can be found only through dialogue across the table. It appears to me that the Akalis are not against talks but hesitate to participate in all-parties meeting.

[IPA] You recently denounced the treating of murderer-militants as martyrs' on their getting killed by the security forces. What steps do you envisage to stop this?

[Verma] A murderer is a murdered. He cannot be a martyr. The militants have been holding bhog ceremonies or shaheedi conferences by describing murderers as martyrs and have been constructing gurdwaras in their memory, in order to misuse these occasions to arouse the Sikhs against the Government through irresponsible speeches and to win the sympathy of the people, particularly the relatives of the deceased.

[IPA] Some of the bhog ceremonies have been attended by top Akali leaders like Mr Simranjit Singh Mann and Mr Parkash Singh Badal. How would you stop them?

[Verma] Akali leaders talk of Sikhism and Sikh Panth, but hail those terrorists who are trespassing glorious traditions of the Panth by killing innocent persons, a majority of them Sikhs. I want to make it clear that in future no shaheedi conferences in memory of murderers would be allowed to be held. No new gurdwara would be allowed to be constructed as a memorial.

I would also persuade Punjab newspapers, some of which have been publishing advertisements regarding bhog ceremonies or shaheedi conferences not to sell their space for such advertisements. The Government has, however, no intention of taking any harsh action against the newspapers.

[IPA] Do you have any reports that some MPs also sympathise with the terrorists?

[Verma] I have been told about this. Mr Kirpal Singh, who won a parliamentary seat in November last with the help of militants, recently approached me with the suggestion that I should drop the precondition regarding abandoning of arms by the militants as also the condition that their demands would be considered only within the framework of the Indian Constitution. He offered to act as a mediator between the militants and the Government if the preconditions were waived. I rejected these suggestions summarily and reiterated my willingness to talk to the militants if they met the pre-conditions.

[IPA] There was a press report about Mr Dhian Singh Mand also...

[Verma] He and some others also may have links with the terrorists. These things have to be inquired into.

[IPA] You had ordered enquiries into alleged fake encounters of the police with terrorists, when a deputation of the Punjab Human Rights Organisation and a couple of MPs belonging to the Akali Dal (Mann) recently brought to your notice some specific case of "fake" encounter. There are also reports of connivance of some policemen with terrorists in extorting money and demanding ransom from hapless citizens. How are you dealing with this problem?

[Verma] Curbing corruption in the police and other Government departments at various levels figures prominently on my agenda. I would try my best to put down corruption with a heavy hand. Strict instructions have been issued to stop fake encounters and to bring to book those policemen who are directly or indirectly connected with extortions and ransom demands.

[IPA] Is your appointment as Punjab Governor to your liking?

[Verma] I did not want to take up any office. When I was initially sounded for the gubernatorial assignment, I had suggested two alternative names—Mr Arun Singh, a former Minister in Mr Rajiv Gandhi's Government and Mr Ramakrishna Hegde, Deputy Chairman of the Planning Commission. But when the matter was discussed with me for the third time and the Prime Minister told me about the unanimous recommendations of my name by the Cabinet Committee on Political Affairs, I agreed to take up the assignment.

### Commentary: Country Cannot Be Ruled by Exclusivism

90AS0142A Bombay NAVBHARAT TIMES  
in Hindi 4 Jun 90 p 6

[Article by Rajendra Mathur: "Exclusivism or Inclusivism?"]

[Text] Whenever differences between Jawaharlal Nehru and Sardar Patel used to hover in the air, Sardar Patel used to say in public meetings that Jawaharlal was the leader of all the people and that he was a loyal follower of his leader. But last week Devi Lal made a statement that it was not sure whether Viswanath Pratap Singh would continue to remain the leader or not. Evidently he meant that when he was displeased how could the prime minister's chair remain stable? And, since Devi Lal is the king-maker, he is reminding the nation by repeatedly shaking the throne that he is very much there, and also, that he is bigger than he who is sitting on it.

Dissatisfied leaders always find reasons to be displeased. Charan Singh also had found one. Charan Singh had found colleagues, such as, George Fernandes, Madhu Limaye, and Chandrashekhar. He maintained that the issue of dual membership of Rashtriya Swayam Sevak Sangh was such a big issue of life and death that even the fall of the Morarji's could be bought. It was definite that if the Bhartiya Janata party would have committed the foolishness to join the government, the issue of Rashtriya Swayam Sevak Sangh would have been raised again in order to deny Mr. Advani his proportional importance. As at this time that axe is not available, other axes are being searched for.

What was the minimum condition to please Devi Lal? It was that Om Prakash Chautala should have remained chief minister of Haryana and nobody should even have peeped in to see what was happening in Chautala's state. Whatever was being published in Delhi newspapers, the leaders of the Janata Party should have stopped reading it, and, if possible, their publications should have been banned by taking some legal actions against them. If Viswanath Pratap Singh wants to pursue liberal, democratic, and value-based politics all over India, he should disregard the happenings in Haryana and leave it for a Chau-Sheku-type government.

But, in this manner, if one particular area or aspect is disregarded everyone claims to be a saint. If the Bofors affair was disregarded what was left for the nation to say against Rajiv Gandhi? If today we disregard the happenings in Haryana, tomorrow Karunanidhi in Tamilnadu might say that it was none of anyone's business to scrutinize whether he was using the Liberation Tigers to unite India or to break it. If in Assam Prafulla Mahanta entrusts the reign of the state to Alma extremists why should one interfere in his act; is it only for the fact that no leader from Assam can become a deputy prime minister in Delhi and show his displeasure like Devi Lal? And, if the infamy of the estate of Haryana would have increased under a chief minister like Chautala, was there

any means left for Devi Lal, if even he would have wanted to do so very much, to save Viswanath Pratap Singh's throne from shaking?

The deputy prime minister has stated that Viswanath Pratap Singh's continuation as prime minister was uncertain but, on the other hand, it is certain that the National Front Government will continue. He is aware of the disgrace Charan Singh had faced in 1979, and hopefully he will like to be spared of that.

His motives are good. He might be familiar with the disgrace Shylock had faced because of his demand for a pound of flesh from the body of his debtor in the event of the latter's failure to pay his money back. But, Devi Lal says that this time the debtor will stay alive and not a drop of blood will be spilled and, at the same time, he will be extracting his pound of flesh.

Maybe Devi Lal is right. No blood might be spilled because Janata Dal is not a living being with flesh and blood. It is a scarecrow made of husk, bamboo, and jute cloth with an objective to scare Rajiv Gandhi away from the field of India. But, as much of the objective becomes useless, the husk from the scarecrow will start coming out. And because this process was to begin some day anyway, Devi Lal is doing justice with the creature called Janata Dal by demanding his share of a pound of husk. If he would not have done it, time would have done the justice.

If it rains, a man in the field will either use an umbrella or go up the raised shack. But what will the scarecrow who is meant to scare the birds away do? If the prime minister goes, how will Janata Dal remain intact? Will Viswanath Pratap Singh renounce politics after quitting? Or, will he become another Guljari Lal Nanda after that? Have the Marxist and Bharatiya Janata parties drawn up a contract that howsoever ugly a scarecrow is put up in the field of India both parties would consider it as their bonded duty to continue to support him from outside? At present, this scarecrow is whole and complete. Because of Viswanath Pratap Singh there is also some life in it. However, if the jute cloth starts tearing apart and the husk begins coming out of it why will the separatists of Kashmir and Punjab have any fear from it? Why will Benazir Bhutto not wait for its disintegration?

Therefore, we should take it for granted that the deputy prime minister, Devi Lal, has formally initiated a restructuring of Indian party politics by declaring a possible change in the prime ministership. Now, either the Lok Dal of the people who accept Devi Lal as their leader will rule India or it will be ruled by such forces as the likes of those in South India. The North also will be trying to find a rightful place for fulfilling democratic ambitions under the all inclusive canopy of India. It will be the people who abandoning Rajiv will come under the banner of Viswanath Pratap, or those who abandoning Viswanath Pratap will come under the banner of Rajiv, or even those who abandoning both of them will assemble together and a Congress-type canopy.

It is not at all possible that the minority and exclusivist Lok Dal will be able to govern India for a long term. The farmer leaders of India are so much exclusivistic that after the exit of Viswanath Pratap Singh they will not be able to cooperate with Devi Lal for more than a few weeks. Why will Mulayam Singh be hanging the drum of Chautala's disgrace around his own neck? Again, look at the old history of farmers' politics. Rajnarain, even after swearing his loyalty as Hanuman's to the Lord Rama (that was Charan Singh), ultimately became his enemy. Karpuri Thakur shied away Charan Singh. Lok Dals of Ajit Singh and Bahuguna had always been fighting each other. Mahendra Singh Takait may accept Devi Lal as his prime minister, but, will Sharad Joshi also do the same?

As a matter of fact, exclusivism has been an essential feature with every Janata type government. That, which is not breakable, is not a non-Congress government. To the contrary, inclusivism has been an essential feature with every Congress-type government. That which includes all the fighting factions and gives them a place within it as well as that which breaks with great difficulty is Congress, by whatever name you may call it. One principle of governing India is "inclusivist" and the other is "exclusivist". And, this is an established truth like a formula of party mathematics or an axiom of geometry, that India cannot be governed on the basis of exclusivism. It is only by means of inclusivism that any government can be stable here.

If all kinds of exclusivistic forces join together to win an election, it is clear that they can succeed only by wearing a mask of inclusivism. But the mask is not their real face. In the process of governing, their faces unmask. And then, the country begins to need a party for which inclusivism should not be a mask, rather, it should be a part of its entity. That day will be the final day for India when, in spite of their wishes, the people of India will not be able to find any such force awaiting for them.

Therefore, Devi Lal, if he so wishes, may unfurl the nation's flag on the rampart of the Red Fort on 15 August; his luck will not be worth mentioning more than that of Charan Singh in any sense.

## IRAN

### Officials Discuss New Public Courts' Bill

90AS0228A Tehran RESALAT in Persian 5 Jul 90  
pp 5, 3, 11

[Text] Legal and Majles Bureau: With the victory of the Islamic Revolution, the formation of a judicial organization in line with grand goals and aspirations of Islam has been one of the most essential necessities of our revolutionary society. On this basis, various endeavors for the realization of this issue has taken place. Among notable efforts in this regard, attempts for reducing the time of prosecution and expediting the execution of the [court] decrees can be mentioned.

In order to eliminate the delays in criminal proceedings which is presently prevailing in the country's judicial system, various meetings were held between the appropriate officials. Among them, were the holding of joint meetings between the Supreme Judicial Council (former) and the Judicial Affairs Commission of the second Islamic Consultative Majles. This ultimately resulted in the formation of a delegation consisting of several members of the Supreme Judicial Council and the Judicial Affairs Commission of the Islamic Consultative Majles which resulted in the drafting of the Bill for Public Courts.

After a study and an investigation of the Bill for Public Courts by the Judicial Affairs Commission of the Islamic Consultative Majles, it is now an item in the Majles' agenda. Since this bill is an important and fundamental one and its ratification will have profound effect on the judicial structure, we decided to present the various views [in this regard] in the next several issues [of the paper] so that, God willing, while enlightening public opinion, the respected Majles deputies will also have an opportunity to become familiar with the various views.

Please note that the second part of this report will be published either on Tuesday [10 Jul] or Thursday [12 Jul] of the following week.

#### Statements by the Chief Justice

While pointing out the one-year activity of the investigative committee tasked with the study of the shortcomings of the judicial system, Mr. Moqtada'i said: Very precise and deep studies have been conducted by this committee, as regard the religious and argumentative aspects, and also from the point of view of comparison with some prevailing judicial systems in the world. In addition, many experts who have had long experience in Iranian courts and magistrates were invited; the results of which were later drafted into the Bill for Public Courts. Eventually, this subject was brought up at a joint meeting between the high judicial council at the time and the judicial commission of the Majles which, thank God, brought good results. Another positive aspect of this endeavor was that, of late, two members of the Council of Guardians were involved [in the issue] which means that there will be no difficulty at the time of ratification.

The Chief Justice considered the elimination of the public prosecutor's office as a positive attribute to the Bill for Public Courts and said: For example, once the plaintiff or both sides come to the court, then the public prosecution investigation and indictment phases must be completed. In this bill, these [3 phases] have been eliminated and this, by itself, will be very effective in expediting the process and the time of investigation will be cut in half. The problems that may arise during public prosecution will be eliminated. Presently, there are many accused or guilty who have confessed during the public prosecution. However, after going to prison, they learn from others or from lawyers to deny the charges or take back their confessions. This creates certain problems

that, if they had been attended to during the preliminary phases, would not have happened.

Therefore, this bill has eliminated [these] problems. Also, the time will be shortened and instead of the present public prosecutor's [office], branches of the investigative court, under the supervision of the judge, [will be established]. If a judge sees that a case has been presented, its decree and all the positive aspects of the litigation completed, then he will issue a decree.

In response to the question: Based on the long experience of countries which have different legal systems, isn't the elimination of the public prosecutor's office going to cause problems during the investigating process?

He said: We will conduct a comparison [study] with the present legal courts. Legal courts do not have public prosecution and both sides of the litigation will go directly to the court where they will file their claims. The judge will study [their cases] in turn and will issue a decree which will be executed in the same branch. Special civil courts also lack public prosecution. The plaintiff, man or woman, goes directly to the court and the court conducts an investigation. In the bill of the general courts, criminal courts will be transformed likewise and therefore, no problem will arise.

If the law enforcement forces investigate a matter or receive a complaint, they shall prepare a report and then, instead of taking the accused to the public prosecutor's office, the accused will be taken to the public courts. Therefore, criminal courts will function in the same manner as legal courts. However, if there is a need for investigation and inspection of the location or the services of a coroner or [other] experts are required, the matter will be referred to them [experts]—as in the case of legal courts—and they, after [concluding] their investigation, will inform the investigative branch of the outcome [of their studies].

We had several meetings to discuss the issue of whether there should be a public prosecutor's [office] or not. It was concluded that there is no need for [the office of] public prosecutor. However, since it is not possible to eliminate the public prosecutor immediately, it was agreed to eventually phase out the public prosecutor. For example, in a city like Qom a public courts will be sanctioned for investigation. Later, when [more] judges can be found, the branches of the public court shall be expanded. Within ten years these courts shall replace the prosecutor general [offices] altogether.

The chief justice was asked to comment on the [following] question posed by some: "How can an inexperienced judge function in criminal and illegal branches [of courts] which require more experience?"

In response, he said: This is one of the difficulties that some point to. In this regard, we say that a solution has been considered for such matters. When we appoint a person to head a court, he must be experienced, educated, and trained. Then he can manage the branch and



add to his experience—as was the case in the independent reconciliation courts which have been transformed into independent legal 2 [as published]—which is being done in city regions that lack [local office of] justice [ministry].

#### Views of the Former Tehran Public Prosecutor

Hojjat ol-Eslam, the former Tehran Public Prosecutor and the present Administrator of the Judicial Branch's Supervision and Investigation Unit, in reference to the record of drafting the Bill for Public Courts, said: At the time when the law of criminal prosecution guidelines was introduced to the judicial commission of the Majles, headed by His Eminence Ayatollah Yazdi, an invitation was extended to us to participate in the commission and announce our views in connection with the law of criminal prosecution guidelines.

After participating in those meetings, we announced that the problem of the judicial system [cannot be solved] by changing names. In fact, the problems of the judicial system are several:

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- 1. The prevailing system that rules over the judicial branch is the cause of a prolonged legal procedure. This ultimately causes cessation of God's decrees or the violation of people's rights.
- 2. Repetition in the prevailing judicial system has existed and does exist.
- 3. Considering the two previous points, there is a dire need for judicial personnel. Naturally, officials of the system [government] will not be able to attract qualified judges as a result of this need.

Therefore, it was suggested that a bill be sent to the Majles void of these three difficulties. After discussions, this was in the minds of our dear brother, Mr. Shushtari and also His Eminence Hojjat ol-Eslam Val Moslemin Musavi-Tabrizi, and several other brothers of the judicial commission. On our suggestion, the issue was followed up, and met with the approval of His Eminence Ayatollah Yazdi. After several meetings with the Supreme Judicial Council (former) and appropriate commissions, it was concluded that this Bill for Public Courts shall be presented to the Islamic Consultative Majles in order to resolve the prevailing difficulty of prolonged legal procedure.

We had [unresolved] cases which had been opened as far back as the time of the late Grand Ayatollah Borujerdi and for several years they were being regularly scheduled by the Ministry of Justice. After the revolution, when the cases were followed up, it was observed that the accused had died. There is no judge familiar with Islamic jurisprudence that can accept such delays and none can consider this an Islamic Judicial Process.

Also, the problem of repetition can be eradicated with this bill. In the past, each case was registered in the Public Prosecutor's Office and would then be referred to a judge, for example, the Assistant Public Prosecutor.

He, in turn, would record his view about the case. The case was not concluded in this phase however, and the view of the Assistant Public Prosecutor would have to be reviewed by the Prosecutor. Then, even if the Prosecutor was in concurrence with that view, the issue would still not be resolved and as a result of the objection of the accused, the case would be referred to the Second Criminal Court to investigate the objection to the ruling. Also in this phase, if the court were to endorse the views of the assistant and the prosecutor, then there would be a solution and in the investigative and prosecution phase (in general, public prosecution) the accused would confess and once he admitted to his guilt he would be released on bail or sent to jail. This provided an opportunity [for the accused] to learn about legal loopholes in order to escape [punishment] and deny whatever he had confessed to during the court phase. This resulted in a waste of effort by the entire public prosecution [system], [and the] cessation of decrees or violation of rights...

However, this problem will be alleviated by this bill. As regard the third difficulty—shortage of judicial cadres—considering the prevailing system, it was felt that the Supreme Judicial Council had no recourse but to seek the assistance of His Eminence the [late] imam and depend on his guidance to attract people to take on the judicial work. Since the shortage concerned the judicial cadre, there were many cases, and the gentlemen had no recourse but to issue secondary decrees, and due to necessity, disregard some of the qualifications that an Islamic judge must have. It is natural that every deviation from each qualification causes and unfavorable impression on judicial work. However, with this bill, repetition will be eradicated and there will not be a dire need for judges. This will leave the gentleman's hand open and prepare the ground such that the esteemed chief of judiciary can appoint qualified judges. Of course, with respect to attracting the judicial cadre, there are other matters unrelated to the bill which we shall omit.

He then attempted to respond to criticism against the Bill for Public Courts and said: In general, those who criticize this bill are dedicated individuals concerned with the welfare of the nation and the country. One of the problems is that expediting the investigation may result in mistakes by the judge and, God forbid, someone's rights may be violated or be subjected to injustice. The other criticism mentioned is that the qualified judge cannot be brought in and therefore, new judges with inadequate information about legal, punitive, and civil matters [will be] employed. As a result, this may lead to the violation of an individual's rights.

Another criticism is that the nature of expertise constitutes that certain cases be prolonged. For example, cases that are being investigated in special civil courts such as disputes between husbands and wives, may, by prolonging the investigation tire from the repeated travel to and from the Ministry of Justice and prefer to reconcile.

These criticisms at first seem valid. However, if the bill is to be passed in its present form and implemented accordingly, most of these criticisms will be resolved because the root of all problems comes down to the point that there are no qualified judges and there is the possibility of the violation of rights or injustice to others. This is why these criticisms were expressed. However, we stated that if these repetitions can be alleviated, then there will not be an accumulation of unresolved cases. With fewer cases, there will be less of a need for manpower. Naturally, this will enable us to look for qualified judges and the criticisms will no longer be justified.

Another criticism being expressed is that the time allocated for the implementation of this bill is too long. I must state that there seems to be a ten-year grace period and it is possible that the turn of events take such a course that it will be fully implemented all across the country within the first few years—and I am being optimistic regarding this matter.

As regard to prolonging cases in special civil [courts], I must say that if the judge is qualified, he can bring about reconciliation in the first session rather than allowing them to tire from [continued sessions] which may result in a reluctant reconciliation. Another criticism is that some cases require expertise, investigation, and information which some claim the court is incapable of providing. The response is that investigative units do exist alongside these courts, and such cases will be referred to the investigative unit where the proper procedure will be conducted adhering to the court's purpose.

#### **Views of the Chief of the National Deeds and Property Registration Organization**

In response to our correspondent's question, Mr. Zava-reei, deputy chief of the judicial branch and chief of the National Deeds and Property Registration Organization, expressed his views regarding the Bill for Public Courts:]

The Bill for Public Courts has two points of interest: a. the positive aspects of the issue; and, b. problems and difficulties of the bill, which we shall discuss separately.

One of the positive aspects of the Islamic judicial system is its expediency regarding the process of claims and public disputes and [rapid] resolution of these matters. No doubt, expediency in the investigation and process [of law], concurrent with securing the rights [of individuals] prevents the increase of corruption within the society.

However, on the other hand, if the method of investigation is such that the judge enjoys certain facilities which enable him to summon the defendant or the claimant immediately upon presentation of a complaint and be able to listen to both sides of the argument, ponder and investigate the matter and issue a decree as soon as he reaches a relatively just conclusion (since the absolute justice can be only determined by God), then [he can] order immediate execution of the decree.

This causes good will among people in regards to financial matters and enables the judicial system to reach an amicable decree with 24 hours or less. People's self confidence regarding their financial transactions will increase and results in their fairness in judgment regarding such matters. Claimants and those obligated will not consider any violations when they see the speed in the legal process. Continuation of this matter will result in upholding of commitments in the society and its eventual metamorphosis to becoming a cultural trait. The speed is a positive attribute of this issue.

The second matter [of concern] is in penal investigation, which is more important, and somewhat applicable to civil investigations. In the present penal investigations there exists a phase of "retentive justice" [as published] and then [the case] is referred to the public prosecutor and, later, to the court. There are many faults with this system. One of the factors helpful and effective in the discovery of facts and penal investigations is the direct involvement of the judge in the early hours after the commission of the crime with the accused or the suspect. The psychological state of the guilty is the best indication for finding out if the accused has indeed committed the crime.

Lifeless writings in the form of investigation reports [prepared] at the police station, the komiteh [post] or—in general—bailiffs of the judicial system cannot determine the true character of the accused or be expressive of the truth. The appearance of the accused can clarify certain matters for the judge that investigative reports cannot clearly explain.

The second point: The time between the investigation of bailiffs of the judiciary and [the referral of the case to] the public prosecutor, on one hand, and the time between investigation by the prosecutor and court investigation on the other hand results in ample time for the accused and the culprit to prepare themselves for denial of the truth. Whatever they, themselves, do not know they will learn from others in order to hide the truth. Under such circumstances, decisionmaking is very difficult for the judge. However, if the investigation is consolidated, meaning that as soon as the crime is committed the accused is taken to the judge and there is no wasting of time, the judge will be afforded the chance to deduce much of the truth by observing the psychological state of the accused. In fact, during the initial moments after the commission of a crime, the guilty expects immediate reaction and lacks the ability to fabricate statements and make decisions. If the investigation begins in the early hours, there is possibility that the culprit confesses, or by looking for contradictions in their statements the matter may be made instantly clear.

Speed in the investigation of the case and direct confrontation with the judge, in initial moments after the matter has been referred to the judicial system, and speedy investigation followed by a [swift] issuance of decree will eradicate the grounds for the nurturing of criminals in the society. It is customary in our society for our prisons

to be criminal training institutions. After the usual procedure regarding the preliminary investigations which is conducted by bailiffs of the judicial system—which are not very apt to legal and investigative matters and issues—and the public prosecutor, which due to the overload of cases usually contends by issuing a ruling, the guilty is sent to the jail where he learns whatever he did not know from other prisoners. It means that prisons are criminal training institutions. Some time after committing a crime, he [the criminal] is taught in the prisons what to say when he sees the judge and how to retract his confession. The shame, repentance and ugliness of the crime are then replaced with a dark spot in the heart [of the guilty].

He added: In Islam there is less emphasis on prisons and [holding] prisoners and, instead, there is emphasis on expediting the process of investigation which leads to less arrests. It does not mean that the judge should issue decrees for the sake of his own comfort, which will lead to an increase in corruption.

Mr. Zavareei then recounted the difficulties regarding the Bill for Public Courts and said: Variations in penal and legal issues and complication of relations under present economic conditions [require] specialization [in the conduct of] the affairs. It cannot be expected of a judge, no matter what his degree of jurisprudence, to have expertise in all matters and issues. If he lacks the expertise, he cannot be fair in his judgment. How can we solve this [problem]? Perhaps it is the implied addressing of the issue that, "How come you, the deputy chief of the judicial branch, cannot answer this question?". The response is that we have had no discussion about this issue so far.

Speed in investigation and execution of the decree are among the positive aspects of this bill. However, this requires judges, jurists, and absolutists. It must be such that we should not [need to] appoint other sources to review and assert that, [for example], he [the judge], God Willing, will issue a decree and then the matter will be sent to the Supreme Court.

Do we have enough judges? Certainly not! However, the philosophy behind the creation of public courts is the decisiveness of its decrees and its rapid implementation to ensure maximum punitive and preventative effects on our society. What if the judge is not a jurist? Does it not create any problems under the present conditions—especially since the judge must investigate all matters concerning the legal, punitive, personal conditions, commercial circumstances and all other related issues, and it is expected that his decree be final? These are matters which require reflection.

In reference to some existing contradictions in the text of the bill, he said: Articles 1, 2, and 3 determine the jurisdiction of the court and assert that it can investigate all claims. Then, [these articles] declare that the decree is decisive [final]. However, in article 7 the "investigative judge" has been mentioned which is in contradiction to

the [philosophy] behind the creation of the public court. Who is this "investigative judge"? This is the same phase as it now regards the public prosecutor, under the jurisdiction of the court, and later will pass the case on to the judge. It means that there will be a gap in the timetable regarding the coming together of the judge, the accused and [other] parties involved in the case and the judge will not have the chance to observe the psychological and mental state of the accused. Perhaps, it could be said that the work of the public court may be excessive. This must be taken into consideration within the context of the number of judges needed and in the light of the fact that the judge will no longer require an "investigative judge"; otherwise, it will be in clear contradiction of the philosophy behind the creation of public courts. The just must be directly involved from the initial stages of the presentation of a complaint throughout the investigation of the issued decree and there should not be any gap [in this process]. Such gaps cause certain difficulties in the process of investigation which result in prolonging the legal procedure. If a group are supposed to assume the role of "investigative judges", the need for creation of an independent of the public prosecutor will be [clearly] felt as before.

In article 12 the term "alternate prosecutor" is unclear. The appointment of alternate prosecutor is at a time when the court is void of a judge. However, this [does not] apply to our justice system [as understood from the text]. In places where there are several branches, appointment of alternate judges, relative to the number of branches, have been prescribed. However, the conditions concerning the alternate judges and the method of investigation have not been determined. Will the alternate judge proceed all the way up to the point of issuing the decree? [Of course], this will not cause any problem since the case is not going to be taken away from him halfway through the process. This is quite alright. However, if the alternate judge functions as assistant to the judge, then it will cause the same problem in public courts as is prevailing.

In response to our correspondent's assertion that, some sponsors of the bill still believe that public prosecutor will still exist in some form and, although over 80 percent of [cases] will end up in the investigative branches or, in other words, public prosecutor as perceived in this bill—leading to considerable reduction in the number of cases—the deputy chief of the judicial branch stated: If all defendants, be they criminal or legal, confess immediately upon appearance in the court, the problem is easily resolved. However, otherwise it is natural to assume that animosity and disputes appear at a time when one side does not submit to what is just, or both sides have infringed upon each other's rights and hold a position contrary to justice. It is the duty of the judicial system—regardless of denial of justice by one of the claimants or both sides—to explore the issues and discover the facts by utilizing the available tools. It is the philosophy of the public courts that the [in between phases] be eliminated and the person of the judge be

involved in the process of the affair. It is contradictory to have one judge inspect the location and another judge to make the ruling. Then, what is the meaning of the public court? This is the heart of the matter.

Mr. Zavareei referred to article 15 of the bill and said: We must leave the door open for reconsideration and review and indicate who has the right to [do so]. It is not that the judge does not have the right to issue a decree and is only entitled to make a ruling to be for submitted to the Supreme Court for its endorsement or rejection of his ruling! What if someone objects [to the ruling]? Should the case still be referred to the Supreme Court? In principal, is essential review and reconsideration necessary in order to safeguard the rights of claimants? We must determine the conditions explicitly and within the framework of the law so as to determine who may be authorized to reconsider or review.

Presently the problems regarding this matter are clear in the Supreme Court. One time the judge issues a ruling and refers it to the Supreme Court. What if one side requests a review, although one branch may say it [the ruling] is correct? [In this case] the same case and file will be returned to the Supreme Court, although it had once before reviewed and reconsidered the case.

Article 22 states: "In cases where the judge who has made the ruling or issued the decree considers it contrary to religious or legal principals—in addition to nullification of the ruling or the decree and ordering a delay in its implementation—the case shall be sent to another branch of the public court for review and reconsideration.

Does this mean that it can be sent [by the judge] to any branch which he wishes or someone else must make the decision? Is there any other deciding source beside these two branches?

In article 27 it is stated: "The determination of, or lack of, jurisdiction of any court in regards to a particular case shall be done solely by that court."

In subarticle 2 of article 30: Regarding the process of the case by two sources; why should it be so? This causes difficulties in implementation. The office of the Supreme Court expects [resolution] from two sources [courts]. Also, the prosecutor's office will have the same expectation. Which one should be given [priority]? At first there will be differences and conflict. Who should receive the case [first]? For such cases, in the future, no more than one source will be determined. For example, they may say the source for [this] dispute is the branch of the Supreme Court. What does the prosecutor want to do or, after it gets the case, to [what office] can it forward the case? Those who cooperate with the prosecutor are the counsels to the Supreme Court. These counsels who are not authorized to issue decrees, are put in a position to do so. Which is the qualified source? Then what? There are two problems in this subarticle which must be resolved.

While pointing out that under article 31 two sources have been recognized as qualified, he said: How can we have two sources of investigation? This will cause confusion. The qualification of every court is within the jurisdiction which has been conferred upon it by law. When the law has made the determination, how can there be two just sources of investigation? Therefore, one is no doubt unjust. Then it says: "The most recent decree is considered invalid and the initial decree shall be considered valid." Here, again, the first decree and its validity coming from a just source will pose difficulties.

#### Full Text of the Bill for Formation Of Public Courts

Article 1 - In order to investigate and resolve all complaints, direct approaches to a judge and creation of a single judicial source, certain courts with general qualifications shall be formed in accordance with following articles.

Article 2 - Formation of public courts in every jurisdiction and determination of the boundaries of [each] jurisdiction and number of branches of the said courts shall be determined by the chief of judiciary.

Article 3 - With the formation of public courts in every jurisdiction, investigation of civil, punitive and related issues, with consideration of local boundaries of jurisdiction, shall be the authority of such courts.

Subarticle 1 - Each jurisdiction shall consist of a district or a city region or certain parts of a large city.

Subarticle 2 - Investigation of matters that have been assigned to other sources in accordance with law shall be outside of the scope of this law.

Article 4 - Decrees of the public courts are final unless categorized by this law as voidable and apt for appeal.

Article 5 - The public court judges are obligated to investigate complaints, claims and declarations in accordance with the existing laws and principal 167 of the Constitution of the Islamic Republic of Iran. They shall issue decrees pertaining to the said cases otherwise they shall be considered as refuser of settling enmity and administration of justice.

Article 6 - Agreements and decrees of the courts must be documented and in reference to laws, customs or principals based on the issued decrees. Violation of this matter and composition of decrees, in general or in principal, shall result in law-enforcement sentencing [as published] up to the fourth degree.

Article 7 - Every judicial region shall be composed of adequate number of branches of public courts, investigative judges, a court secretariat, judicial police and a judicial guidance and assistance units [arbitration]. In case there are several branches, a general office shall also be formed.

Article 8 - The guidance and judicial assistance unit shall be composed of several expert and benevolent individuals who, by recommendation and discretion of the public court judges, are tasked with giving guidance and direction for peace-making between the two sides of conflicts and animosity.

Subarticle - The method of formation of these units, the number of members of each unit, the method of their election and its criteria, level of qualification and authority of each unit or every member and the method of decisionmaking and implementation shall be determined in accordance with a guideline to be approved by the chief of the judicial system.

Article 9 - The chief of the first branch of public courts in each judicial district shall be the [administrative] chief of that judicial district.

Article 10 - The chief of judicial district of each city region shall supervise and administer all the public courts of that city region as its chief of the office of justice. Also, the chief of the justice office in each provincial capital city region shall supervise and conduct the task of administrative chief of the justice office of that city region in the province.

Subarticle - The chief of the judicial district and city region and provincial capital can, with the approval of the chief of the judiciary, have adequate number of deputies. In his absence, his deputies, in accordance with their tenure within the judicial system, shall fill in his place and conduct the affairs of attending to the cases, complaints and claims. Dispensing the cases to the branches of the court shall be their responsibility.

Article 11 - Bailiffs of the justice offices of every judicial district shall function under the command and supervision of the chief of that region in regards to judicial affairs and they are duty-bound to execute the orders of judicial officials. Violators from execution of these orders shall be indicted by the chief of the appropriate jurisdiction. [Such violators] shall be referred to one of the branches of the public court. In addition to compensation of losses (taken into consideration the conditions and possibilities of the violator, the number and degree of violations, the degree of chastisement ranging from advice, reprimand, threat and degrees of punishment) the punishment for the first offense shall be one to six months suspension, for the second offense suspension from six months and one day to one year, for the third offense suspension from one year and one day to two years and for the fourth offense to permanent suspension from government service.

Article 12 - The public courts shall commence in the presence of the branch chief and alternate prosecutor.

Article 13 - All activities and investigations deemed necessary from the start to the end of the matter shall be conducted by the judge of the court. Also, the expression of judicial view and composition of decree shall be his obligation.

Subarticle 1 - Adherence to this article shall not hinder certain acts, investigations and decisions sanctioned by and under the supervision of the judge (considering religious and legal principles) to be conducted by investigative judges and certain acts and investigations to be conducted likewise by bailiffs of the judiciary or other appropriate sources.

Subarticle 2 - Whensoever there is need for investigation or an act in the jurisdiction of another court or information must be gathered from the judicial jurisdiction of another court, the investigative court can ask of the said court to conduct the investigation, act, or gather the required information.

Article 14 - Investigative judges are responsible for all affairs within the process of indictment, investigation and execution under the supervision and training of the judges and the public courts of their judicial district.

Views requiring essential investigations are not exempt from the scope of the matters mentioned in this article.

Article 15 - After concluding the investigation, immediately after the expression of the public court's views and in regards to sentences of execution, [Rajm as published], severance, retribution in kind (person or member) and also the decree for divorce upon a woman's request, the case shall be immediately referred to the Supreme Court. In all other cases, after composition of the ruling, it shall issue the order for the execution of the decree except in the cases mentioned in this law when the execution of the decree shall be delayed until final decision is made.

Subarticle - In case the judge of the court is a full jurist, after investigation he shall attempt the composition of the final ruling.

Article 16 - In punishments and decrees mentioned in Article 15 and also in cases of legal affairs which have been mentioned in that Article, the case shall be investigated in one of the branches after it has been sent to the Supreme Court. In case the expressed view is confirmed, after confirmation, the case shall be returned to the issuing court for the execution of the decree and the order of implementation. In case the view is not confirmed due to discrepancies in the investigative process or religious and legal considerations, the case shall be returned to the primary court for reinvestigation with explanation of reasons for non-confirmation.

Article 17 - In regards to the last part of the previous Article, if the court agrees with the view of the Supreme Court, the concurrence of this view shall be investigated and the ruling shall be composed.

Article 18 - If the court does not accept the view of the Supreme Court, the case shall be referred to the chief of the district and he shall [act] independently from the investigation of the case and issue the appropriate decree in regards to the matter.

Subarticle - In case the decree has been previously issued by the chief of the judicial district, the case shall be referred to the nearest branch as well.

Article 19 - Decrees and initial indictments of public courts may be subject to appeal by the following officials or individuals for one time [only] and with presentation of adequate evidence or reasons: 1. The chief of the judicial branch, the chief justice, the chief prosecutor of the country, the judge who has issued the decree or indictment. During the appeal, any one of the aforementioned officials shall order the delay in the execution of the decree or indictments. 2. Plaintiffs and accused or their legal representatives or lawyers, within ten days after the declaration and conveyance of the decree or indictment in the following phases: A) Whenever it is claimed that the documents being referred to lack credibility or witnesses have given false testimony or lacked religious or legal qualifications for testifying. B) Whenever it is claimed that the decree or indictment contradicts religious necessities or legal considerations. C) Whenever it is claimed that the court lacks the inherent qualifications for investigation of the case.

Subarticle 1 - The public courts are obligated to emphasize, in conjunction with the decree or indictment, that in accordance with the letter of paragraph 2 and subarticle 2 of this article, the decree or indictment may be appealed only one time and within up to 10 days after the proclamation or conveyance of the decree.

Subarticle 2 - In case the judge issuing the decree is an official jurist, request for appeal or breach of the issued decree shall be legally and religiously permissible only if the judge [enacting the request] is also an official jurist.

Subarticle 3 - In case a decree is issued after confirmation by the Supreme Court, sentences and legal affairs mentioned in article 15 may be subject to request for appeal only if the applicant is one of the officials mentioned in paragraph 1 of this article.

Subarticle 4 - Decrees and arrangements issued and agreed upon after the breach and in the process of appeal may not be subject to objections and supplementary appeals are not permitted.

Article 20 - The petition for appeal by the chief of the judiciary, chief justice and national prosecutor general shall be submitted to the court that issued the decree or the indictment. With the consent of the judge who has issued the decree or the indictment, the decree or indictment shall be nullified and the case shall be referred to the chief of the judicial district for investigation or reassignment to another branch.

Subarticle 1 - In case the judge issuing the decree is without portfolio in that district, the case shall be investigated by the district chief or by a branch which may be so tasked by him [district chief] in accordance with the letter of this article.

Subarticle 2 - The request for appeal subject of this article and execution of decree or indictment shall be delayed until final decision is made in regards to the aforementioned paragraphs and the following article—with the exception of the condition which may result in the freedom of the accused.

Article 21 - In cases that, according to the previous article, the case may be referred to the Supreme Court, if the receiving branch does not consider the decree or the indictment to be contrary to religion or law—by stating its emphatic reason for refusing the appeal—it can return the case to another branch of the [public courts] in the same judicial district for review and composition of the ruling. Otherwise, the decree or the indictment shall be categorically nullified and attempts shall be made for critical investigation and composition of the ruling.

Article 22 - In cases that the judge issuing the decree or indictment may consider them [the decree or indictment] to be contrary to religion or law, the decree or the indictment shall be nullified with full explanation of the reason and the case shall be referred to another branch within the same judicial district.

Article 23 - The application for appeal, subject of paragraph 2 of article 19, shall be submitted to the office of the court that has issued the decree or the indictment. The said office—in case the decree or the indictment is issued by the Chief of the Judicial District—shall refer the case along with the appeal application to the nearest judicial district or, otherwise, to the chief of the same judicial district.

Article 24 - In case the application for appeal is not in strict adherence to the letter of paragraph 2 of article 19 and the three derivatives of this paragraph and subarticle 3, the chief of judicial district shall reject the application for appeal and refer the case to the appropriate court for continuation of the executive procedure. Otherwise, after ordering a delay to the continuation of the implementation of the decree or the indictment, the case shall be referred to the issuing judge for investigation of the objection. If the aforementioned judge considers the objection valid, he shall act upon nullification of the decree, in accordance with article 22. Otherwise, after documented rejection of the objection, the case shall be referred to the chief of the same judicial district or the chief of the adjacent district—if he, himself, is the chief of the same district.

Article 25 - In case the judge who has issued the decree or the indictment is without portfolio in the appropriate judicial district, or if he is with portfolio but has rejected the objection; accordingly, the chief of the same judicial district or the adjacent district shall conduct a critical investigation of the case and—in accordance with their view—act in regards to the confirmation of the issued decree or the indictment and return the case for executive measures or the nullification of the previous decree or the issuing of a new decree.

Article 26 - Decrees issued by public courts shall be executed by the [tacit] order of the issuing public court.

Article 27 - Determination of the qualification, or lack of thereof, of any public court in regards to a specific case shall be determined by the same court.

Article 28 - The source for arbitrating any differences regarding district [geographic] qualifications among public courts inside a judicial district shall be the court inside the judicial district closest to the former decision-making [acting] court.

Article 29 - With respect to differences regarding inherent qualifications of two judicial sources, a justice source and a nonjustice source, the arbitration shall be done by the Supreme Court.

Article 30 - Whenever the same matter is being investigated by two sources and both sources insist on their investigative qualification, they shall refer the case for arbitration after being so informed.

Subarticle 1 - In accordance with articles 32 and 33, arbitration is within the inherent qualification of the Supreme Court and the closest public court of the district.

Subarticle 2 - In case the Supreme Court or the Prosecutor General are so informed about the investigation of the same case by two sources, they shall demand that both cases be referred to them. In this case both sources are obligated to refer the case to the Supreme Court for determination of the course of action.

Article 31 - In case the investigation of a specific matter being investigated by two judicial sources or two nonjudicial sources or a judicial source and a nonjudicial source, has led to composition of a final ruling, the rule of the source which has been determined by the Supreme Court to have jurisdiction over investigation and composition of the ruling shall be implemented and the other ruling shall be considered invalid. If both sources are considered qualified, the initial ruling shall be binding and the secondary shall be rendered invalid.

Article 32 - The chief of the judicial system is obligated to act upon eventual creation of the public courts and dissolution of public prosecution offices and special penal, legal and civil courts. Also, by taking appropriate steps toward education and training of a qualified judicial force necessary grounds for the implementation of this law shall be created within ten years after the law goes into effect.

Article 33 - The minister of justice is obligated to prepare the organizational chart suitable for the implementation of this law within one year after it goes into effect, in coordination with the the chief of the administrative and employment affairs organization and it shall be approved by the chief of the judicial system.

Article 34 - The government must expedite the necessary equipment and facilities for public courts—such as the

location of offices, motor vehicles, and other such facilities and the required credit for the purchase of these equipment and facilities shall be put at the disposal of the Justice Ministry.

Article 35 - As of the time of formation of a public court in each judicial district, all laws and regulations contrary to it shall be considered null and the public courts of the judicial district can utilize all other laws and regulations which have not been discarded or deemed contrary to religious customs—within the framework of religious principles, the Constitution, and laws sanctioned by the Islamic Consultative Majles.

### Editorial Details Problems of Judicial System

90AS0279A Tehran RESALAT in Persian  
27, 28, 30 Jun 90

[Seyyed Rasul Saadatnezhad]

[27 Jun 90 PP 1, 12]

[Text] No doubt, seeking justice is one of the most important desires of mankind and justice is one of the most crucial issues on which government must concentrate and make its realization possible. It may be better explained that, governments may survive with heresy but none can survive with injustice.

Implementation of justice is dependent upon some principles among which "laws," "judge and judgment," "speed in execution," and "implementation of decree" may be named. Discrepancy in any one of these principles can distort justice and result in uselessness of adherence to and securing the right of innocent and punishment of the guilty. However, the important and useful principle by which—through implementation of the law, judgment, speed in execution and a suitable executive—justice may be dispensed is organization.

Lack of existence of an organization which its form, goals, and objectives are congruent with ideological principles of the government with respect to justice is considered to be the greatest encumbrance and weakness of that government. Based on this point of view the Islamic Republic of Iran, the present justice organization—as defined above—is primarily owed to martyr Ayatollah Beheshti. However, under the present circumstances, this organization faces noticeable difficulties with regard to issues of judgment, judgeship, speed of execution, accuracy, method of investigation, and implementation of decree.

Perhaps there is no more opportune time than Justice Week, which we are now marking, to address one of the issues with far-reaching implications pertaining to government and its shortcomings in dealing with social matters such as implementation and nature of justice. Considering the above points, the most substantial encumbrances and difficulties of the judicial branch may be considered as follows. The importance of this study is due to the fact that, judicial branch is now enjoying [the



cooperation of] a knowledgeable management and it is hoped that [as a result of] understanding religious laws, governmental experience, legislative experience, management skills, and character of the esteemed chief of the judiciary these difficulties can be amicably resolved.

In this article, without considering the degree of importance, some of these difficulties and impediments have been addressed.

1. Judges and qualitative difficulties: Perhaps there are few issues considered more important and subject of great emphasis in Islam than judges.

The most important issue that can cause difficulties in the judgment of a judge is the appearance of financial corruption. Aside from considering and relying on the principle that judges must be selected based on the highest of moral values, reliance on the realistic principle of "financial security" is a necessity. The government and the judicial branch must structure their payment system so that judges are placed on the highest of scales and social level. From the financial point of view, judges must be placed in such a position that—assuming there is a lack of moral malady and a reliance on moral health—he is not susceptible to temptations. Also, this condition must be contingent upon circumstances under which corrupt [individuals] and executives cannot find any way to influence the judge through financial means.

The second most important issue concerning judges can be best described as "strength of character, identity and morale" within the scope of a social base. Considering all the legal and moral positions assigned to him and the important role which he assumes in society, a judge is no less than an executive and a political figure since he must possess the strength of character and morale to confront the corrupt and saboteurs of the government. This is the duty of the executive branch and propaganda organizations to seek the creation of such a social stature. Also, it is required of the government's senior managers to support the decree and through its execution strengthen the prestige, character, courage, and inherent bravery of the judge (which is a required characteristic) and encourage him to confront the political and economic powerhouses.

The next issue concerning a judge is his avoidance of fictional politicking. All governments are borne from human factors. These human factors, due to training and psychological weaknesses, can easily fall prey to temptations—considering the influence of the religious culture and lack of belief in the Day of Judgment—when placed in the position of governing people (on any level) and [the judge] can easily be tempted and corrupted. However, the danger of such people is considerably greater than the corrupt and lewd among the masses. The reason is that, these political figures who are armed with authority and power of the government, are able to create a sort of immunity from punishment for themselves. Therefore, judges as sole legal entities—

positioned beyond the jurisdiction of executive organization—are capable of confrontation and must remain far from the political scene.

If judges develop the sentiments and motivations for political activities based on whether or not to support specific factions within governmental organizations, their independence will suffer. Lack of qualifications in this regard is a downfall capable of rendering justice ineffective and delay its implementation. However, this is not an issue that can be controlled by the payment system or moral character. Albeit, correction and proper direction of these two—as pertains to judges—can considerably lessen the reasons for being inclined toward political activities. This issue requires the existence of a strong supervisory organization which will be discussed in follow-up articles.

[28 Jun 90 PP 1, 11]

[Text] In the discussion concerning judges three points were pointed out which were as follows:

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- 1. Correction of the payment system and financial security for judges.
- 2. Strengthening the character and social identity of judges and encouraging them to confront the powerful.
- 3. Refraining from political involvement and political tendencies in judicial matters.

As was pointed out, these factors are not sufficient guarantees for the quality of judges. However, there are other extensive and far-reaching dangers that threaten objectivity in judgments and, also, despite all necessary precautions to ensure the [moral] health of judges, there is still possibility of outbreak of carnal ills in individuals. It is evident that the importance of the sensitivity concerning such issues arising from the outbreak of moral corruption and carnal tendencies in a judge holds totally different impressions as compared with the case of a commoner. Due to this concern, the sensitive issue of "supervision of judges" emerges.

Perhaps financial corruption lurching in the path of every judge may be resolved through correction of the payment system and financial security. However, how may other difficulties—such as protecting the dignity and prestige of judges, their distancing from political tendencies as it pertains to the issue of judgment and other moral difficulties—be controlled and limited? This question takes on particular importance when we face the substantive aspect of issues.

With regard to the issue of government all considerations take on national dimensions. Under such circumstances, the issue is no more the number of judges that can be appointed—based on the personal knowledge and relative familiarity of the selector and his confidence in the future behavior [of candidates]. At the same time, mankind—especially if prior to the age of empirical maturity and during psychological vacillations—



undergoes continuous changes and his tomorrow differs from his today due to being influenced by various factors. Therefore, supervision of judges is a requirement—considering the rights and privileges of individuals. It must be accepted that creation of suitable conditions for judges—such as financial, social, and employment security along with exercise of supervision—are complementary. On the other hand, one takes precedent over another. This means that—as long as suitable conditions are not achieved—supervision alone is immaterial except in the sense that it results in discovery of wrongdoings and, at time, renouncement, punishment or stagnancy in the work!

Supervising judges cannot be disregarded since it may cause disrespect [for them]. Such an attitude is contrary to the rational way of thinking and running a government because the security of one cannot be sacrificed for the security of society. At the same time, it is not necessary that supervision be equated with disrespect. Supervision and inspection can be well implemented through correct management, adequate experience, moral sensitivity, and adherence to religious rights.

Of course, supervision is not the only issue which concerns the work of judges. There are other perils facing the judicial organization for which solutions must be found through supervision. It is appropriate to mention here two important examples of difficulties and problems facing the judicial branch in order to better demonstrate the role of supervision.

One of the most important dangers for the judicial branch is the danger of infiltration by two groups of spies and large investment and economic corporations. Nowadays, the most serious danger threatening the personal security of every individuals is "frame-up." Some aspects of this framing-up concerns factors outside of the judiciary but a great part of it pertains to internal aspects of the organization—where influential individuals may be able to introduce the competent people as corrupt and vice versa.

Influencing decrees by way of infiltration of sycophant individuals (especially concerning political issues) and frame ups can be the deadliest of weapons against the health of judicial branch. Confronting these two issues—preventing the infiltration by large financial and economic concerns without having direct contact with the judge, considering the security aspect of the organization, and following up on counterintelligence activities—gives strength to the argument about supervision.

Regarding the first case—infiltration of large financial and economic concerns—a file may be effectively disqualified even before it reaches the judge's chambers! Evidence may be destroyed! Witnesses may change their mind about giving testimony! Plaintiffs may be silenced! Finally, there may be nothing left for the judge to form a basis for his decision. The result of such situation is, naturally, disregard for justice without the judge having any fault in this [process].

Another issue is national security within the framework of counterintelligence activities. The three branches are constantly exposed to the danger of infiltration by trained elements and spies, although the ratio may not be equal. Except for magistrates, another part of the judiciary which can be exposed to infiltration by leach-like capitalist elements and spies is the National Inspector General Organization, which, if adequate care is not applied, can result in an unjust frame-up of dedicated and experienced individuals.

Most people believe that counterintelligence is applicable only within the executive branch and armed forces. Also, indeed, the judicial branch which oversees the fate of executives involved in the administration of the affairs and which is obligated to determine the fate of wrongdoers is exposed to danger as a pillar of the regime.

The quality of judgment may be affected as a result of the above-mentioned two elements. The damage control of the system requires that the issue of supervision be taken seriously.

[30 Jun 90 PP 1, 11]

[Text] During the previous days, issues that adversely affect the quality of judgment from the point of view of judges were presented to readers. What remained to be discussed were hindrances and difficulties that may be considered as effective factors in the execution of decrees and possibility of investigation of a decree as the second aspect [for consideration].

2. Qualitative issues in investigation and issuance of decrees: In case of a complaint the conduct of investigation, issuance of decree and, finally, execution of that decree are not only influenced by the solidarity, power and decisiveness of the appropriate organization, but also are strongly influenced by a number of qualitative factors which we shall discuss some of them. However, before starting to discuss the matters, it must be mentioned that the solidarity, power and decisiveness of judicial branch are not small matters. They, themselves are influenced by many quantitative factors [such as] management, selection of senior managers, organizational form, existence or lack of systems with suitable efficiencies and quality of supervision on the method of execution and implementation (which have been the subject of much discussion). Also, these factors have their roots deep in the economy and perception of senior managers of the regime. However, views and thoughts in this regard are only within the sphere of perceptions and ideas of leaders of the regime and outside the scope of journalistic endeavors.

However, there are some qualitative factors which accuracy in their investigation can even correct weaknesses in the foundation, system, and management within the present scope of judicial organization. Although a level of priority cannot be established, but what is viewed at the first glance is as follows:

- Execution of decree: The most important issue after

the issuance of decree is its execution. In many instances, When a decree is issued—due to political considerations or abuse of other qualitative measures—its execution does not take effect and it is halted. Among the most fundamental abuses of qualitative measures that can be singled out is “law-breaking by some executives.” Banking on the power vested in them by the system, executives can halt the execution of decrees. Avoiding the execution of decrees result in loss of the public’s confidence, emboldens the culprit, encourages the untried guilty and thus, corruption propagates in this manner. The direct effect of this situation will be on national morale, which results in the stripping of national confidence towards the judicial system. Correction must begin from this point and executives who refrain from the implementation of the law must be accountable in every way possible to the law. A lack of investigation of this issue will intensify other adverse qualitative repercussions.

- Strengthening the public’s attitude of pleading for justice without fear: The other issue that must be considered is the strengthening of the public’s attitude of pleading for justice. Obviously, people do not have any problem in cases where they are dealing with their equals from an economic and social standpoint. And in some cases, they sue. However, the difficulty of implementation of justice is where powerless people confront the injustices and aggressions of the influential and corrupt but powerful. People’s power and encouraging [these people] brings about a suitable qualitative effect on the implementation of justice. The nation must feel secure as individuals and know that they will not fall prey to the frame-ups and influence peddling of the impious powerful. [People must know that their] lives and the continuation of [their] material benefits for [their] sustenance will not be subject to any danger.

The creation of such boldness depends on the way the judicial system functions. If the judicial system is decisive in issuing the execution of decrees against the influential and corrupt officials, this boldness will come about, even if the aforementioned grounds from the point of view of personal security for plaintiffs are not apparent.

Of course other related elements, such as religious training, cultural education and propaganda activities have their effects on this issue. However, this discussion does not fit within the scope of actions and hurdles in the path of the judicial system which have been avoided in this article.

Following up the cases of major culprits: In many instances, the plaintiff does not have the power to bring his case and complaint against the accused [to the court] because the accused and guilty party may be influential. The executive and judicial branches must implement a system which immediately upon evidence of a crime and the establishment of a dossier acts upon the issuance of the decree and its execution. From the qualitative point

of view, this issue has positive and complimentary effects upon the previous hypothesis which was the encouragement of the innocent to bring his case against the powerful unjust.

If political tendencies are not taken into consideration regarding judgments, and the influence of powerful trends within the judicial system is not eliminated, then decisiveness, care, and speed in action concerning the corrupt officials, will also appear. Of course the discussion about holding public or closed courts and public’s knowledge—except in cases where jurisprudence or the Constitution have exempted—is a subject that will be discussed in the coming [argument].

Opening of courts: Another issue which has not been the focus of much attention and has always been linked with domestic security, the defense of personal integrity and the interests of the regime has been the issue of secret tribunals. As a matter of fact, there are numerous desirable qualitative effects resulting from holding open courts, a few of which I shall point out.

First, the creation of encouragement in the nation: The truth of the matter is that people, to a great extent, may be influenced by their tangible experiences. Also, the necessary trust toward the judicial system can be achieved as a result of the national understanding of the function of the judiciary. It is not necessary that all open courts be considered as detriments to internal security and the integrity of the regime. They can be the basis for presentation and propagation of actions of the judicial system from the point of view of seeking justice and spreading it all across the nation.

Regretfully, false propaganda has caused that the integrity of the guilty be linked with the integrity of the regime as a whole. This has always been an abusive point and the creation of such incorrect sensitivities has provided the guilty with the opportunity to escape from the grip of justice. Open courts can correct this artificial effect—the incorrect linking of people’s prestige to the prestige of the regime—and the system may remain unharmed.

Second, the decrease in crimes due to holding public courts: The opening of courts by itself is a strong factor in crime prevention. There are instances in Islamic law that support this view. For example, public punishment has been regarded as the basis for a decrease in crime and [as such] sets a public example. Henceforth, excluding the two uses of public encouragement towards actions of the judicial system and a decrease in the abuse of it by the guilty, crime prevention through this method can also be encouraging.

Restraints of time: The last issue that must be addressed in this collection is reducing the time of investigation of a crime. The judicial force, like other executive regimes, is entangled with complex bureaucracy. Of course, as all officials have emphasized, precision must not be sacrificed for the sake of speed. In this framework, the judicial system must take serious steps to shorten the time from the arrest to the issuance of a verdict. It is

hoped that the judicial branch can—with the independence that has been prescribed in the Constitution, and emphasized by all senior officials of the regime—can succeed by relying on the new management to open the path of seeking justice by the nation and its own spread of justice [across the land].

Explanation and correction: A mistake had occurred in Thursday's editorial which shall be corrected as follows: "Supervising the judge cannot be disregarded due to the possibility of disrespect. Such an attitude is contrary to the rational way of thinking and running a government because the security of the society cannot be sacrificed for the security of an individual."

## PAKISTAN

### Qadiani Influence in Universities Resented

90AS0105A Lahore CHATAN in Urdu  
7-15 May 90 pp 7-8

[Article by Muhammad Qadeer Shahzada entitled, "Engineering University Entrapped by Qadianis".]

[Text] The educational institutions of our dear country have fallen victim to murder, plunder, rioting, and gunfire. Some time ago, a student was killed when members of two student organizations fired shots at each other. As a result of the incident, Faisalabad Agriculture University was closed.

Educational institutions in Sindh, especially Karachi University, are frequently closed. Disturbances have disrupted education in the educational institutions of other cities as well. According to a report, over the last few years, many students have been killed and wounded in educational institutions. A few days ago, after two student organizations exchanged gunfire, Lahore Engineering University was closed and remains so up to the present time.

What are the events, conditions, and factors, or in other words, what force is keeping the students involved in violence and rioting and away from their studies? A careful study of the situation shows that communists, atheists, the enemies of Islam and Pakistan who failed to establish a system of their liking through constitutional means, are now using the students and creating disturbed conditions in the country in order to carry out their unholy designs. The Qadiani movement must be counted among these Islam and Pakistan hating elements. The Qadianis have never accepted the establishment of Pakistan because it is their belief, [supposedly] based on divine inspiration, that Pakistan will one day be broken up. At the time of Pakistan's creation, the khalifa [vicegerent] of the Qadianis, Mirza Bashiruddin Mahmood, said, "We have agreed to the division of India, not with any feeling of joy but out of necessity; and we shall try again to reunite somehow." (Newspaper AL-FAZL 17 May 1947).

Some time ago, Mirza Taher Ahmad, the present khalifa of the Qadiani Ahmadiyas, prophesied in London that Pakistan would soon break up and that a situation like that of Afghanistan would arise in Pakistan. Voices of condemnation were raised in the senate against this statement by the Qadiani khalifa but some unknown circumstances caused the protests to die down. In short, the efforts of communists, atheists, and Qadianis to destroy Pakistan continue to the present day. In Pakistan where every Qadiani is busily trying to bring about the fulfillment of his Khalifa's prophesy, Qadiani students in educational institutions and Qadianis occupying key positions in these institutions are no less active in their efforts to achieve the same objective. Lahore Engineering University is one of those institutions where Qadianis and communists are in full control.

Some circles believe that Ikramul Haq Dar, who occupies the important post of vice chancellor of the Engineering University, is connected with the Qadiani community. According to these circles, the vice chancellor's wife is a Qadiani and her father, Aziz Ahmad Wah, was the honorary director of affairs of the Ahmadiya center in Kent. Some of the Qadianis who have been appointed to important posts in the university with the vice chancellor's approval are: Dr. Faizul Hasan Qadiani, chairman of transport company; Professor Mahmoud Hussain Qadiani, chairman of the architecture department; Professor Azhar Zuhur Butt Qadiani, chairman; Mansurul Haq Qadiani, audit officer; in addition to these, a Qadiani, Karamat Mirza, has been appointed to a sensitive post in the PRO [public relations?] office. Two retired professors, Asghar Hamid Qadiani and Maqbool Illahi Qadiani, have been given responsible positions in the Admin [administrative] office with special salaries. Assistant registrar, Mahmoud Ahmad Qadiani, was given preferential treatment at retirement in the form of special increment [in salary] and other privileges. Qadiani professor Azhar Zuhur Butt was sent to London for treatment of heart disease, although there was no medical record of his having any such ailment, in order that he may participate in the Qadiani community's annual meeting in London. He was given 400,000 rupees for expenses. In spite of the fact that Zuhur Butt Qadiani was in London, the vice chancellor still refused to acknowledge that he himself was a Qadiani; but the appointment of Qadianis to a large number of important posts in the university and the preferential treatment given Qadiani professors proves that the vice chancellor is, if not a Qadiani, then a supporter of Qadianis. Several more Qadianis occupy key university posts, but, for certain reasons, do not acknowledge that they are Qadianis.

If we proceed from the teaching and administrative staff to the students, we find an alarming situation here as well. At present, two student organizations, Islami Jameat-e Talaba and Qaide Azam (God's blessings on him) Student Federation are active in the university. Here a large number of Qadiani students masquerading as Muslims are receiving education. These Qadiani students are all members of the Qaide Azam Students

Federation, probably because it is an organization of atheist and communist students and it is somewhat easier for Qadiani students to achieve their aims by joining this organization. Qadiani students join various student organizations and, through systematic planning, gain influence; they then cause dissension among Muslim students in these organizations, create a state of unrest, plunder and murder in educational institutions, and try thus to disturb conditions in the country, all with the objective of bringing about the fulfillment of their khalifa's prophesy. This ugly game of enmity towards Pakistan is being played by Qadiani students and teachers in the Engineering University as well as other educational institutions in the country. There are at present key members of the Qadiani community in QSF's [Qaide Azam Students Federation] central leadership. The Qadiani community's khalifa, Khursheed Ghani; vice khalifa, Naziruddin Mahmud (who was shot recently in a fight between two student unions); assistant registrar Mahmud Ahmad's son Nazir; Shahid Mirzai third civil [as published] younger brother of Tariq Mirzai, former chairman of QSF; and Mirzai Electrical as well as several other Qadiani students are in QSF's central leadership. Some time ago, QSF's central leadership and Qadiani students went to Ribva to meet Mirza Taher, the Qadiani khalifa. It is not difficult to reach the conclusion that the Engineering University's QSF is in fact working for the interests of the Qadianis.

It is painful for patriotic persons to see Qadianis invited to most QSF receptions. A few months ago, Hanif Rami and Asima Jahangir were invited to a reception arranged by the QSF to commemorate "Pakistan Forty Years Later." Hanif Rami's views are no secret. In 1984 when the government passed an ordinance prohibiting Qadianis from using Islamic religious observances and the profession of faith, Hanif Rami was the first to publish a newspaper article supporting the Qadianis. The general impression is that Hanif Rami's father-in-law, Raja Ghalib, was the amir [director?] of the Qadiani community in Quetta and is still regarded as a bigoted Qadiani. Hanif Rami's wife was a Qadiani as well. Some circles consider Asima Jahangir to be a Qadiani, and according to these circles she had insulted the prophet Mohammad a few years ago. When voices were raised in condemnation in different parts of the country, she left Pakistan. Following this incident, Apa Nisar Fatima and other members of the national assembly raised the issue of punishment for insulting the prophet Mohammad, and for the first time the law prescribing the death penalty for those who insulted the Prophet was passed. It grieved all lovers of the prophet Mohammad, God's blessing be on him, to see this same Asima Jahangir and Hanif Rami invited to the Engineering University reception. This act deserves severe condemnation.

### IMF 'Rule' Over Economy Criticized

90AS0105B Karachi JASARAT in Urdu 14 May 90 p 3

[Editorial entitled, "IMF Rule Over Paksitan".]

[Text] In order to prepare public opinion for the budget, the government has started a series of conferences, and discussions are being held everywhere. The central secretary of information has arranged a similar seminar to be held in Karachi on 16 May, but the truth will be out. A responsible government official has acknowledged that the outline given by the IMF is being filled in for the budget. In a meeting in Lahore held to discuss the budget, Dr. Akmal Hussain, a member of the prime minister's economic liaison committee, called the government's behavior regrettable and said, "Under the IMF's terms, we are adopting short term economic policies when we really need long term policies. As a result of these short term policies, the value of the Pakistani rupee will continue to fall, the gross national product will decrease, the budget deficit will increase as will unemployment. We should be thinking, not about next year but about the next 10 years." According to Dr. Akmal Hussain's statement, IMF policies are being accepted unthinkingly. Pakistan is one of those few countries which are complying without protest with IMF's stringent requirements. We should pay heed to the price we are paying for abiding by IMF's terms. Because of IMF requirements, development expenses have increased and the national development target has been affected; but as Dr. Akmal Hussain pointed out, a speedy deliverance from the IMF is not possible. A long and patient effort is needed. But one sees no sign of such an effort or any determination expressed to make an effort. As a result, each year the IMF grip grows tighter around us. As it is, economically we are a subservient and subject country. Our subservience is so great that we do not have the power to draw up our own budget; it has to be handed down from above. Foreign experts perch on our chests and give final shape to the budget. On the other hand, our government has confessed its inability to collect taxes. No more than a few hundred thousand rupees have been collected in taxes from large markets. It is an acknowledgement of the government's inefficiency that a firm has been given a contract for collecting customs duties on a variety of articles. This system of tax collection appeared on the sub-continent in the shape of a company government [East India Company?]. Now, at the start of the twenty-first century, instead of freedom we are tying ourselves in the old chains of slavery. Yet, hundreds of thousands of rupees are spent on propaganda in an attempt to show that the government is greatly concerned about the people and that the government is carrying out a great economic achievement. But telling such lies will only draw the condemnation of God and man. The government which represents the people is ignorant of the condition of the people. They are scared stiff of the budget, and their fears are increased by the threatening warnings of government economic experts that there is no escape from a stringent budget. Even before the approval of the budget the people have suffered through several [word illegible] budgets.